

Family and Medical Leave Act

The federal Family and Medical Leave Act was enacted "to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity."

The Act allows parents to take leave for pregnancy, medical, and other family-related reasons.

For more information about this Act, contact the U.S. Department of Labor, Wage and Hour Division at 1-866-487-2365 or www.dol.gov.

Workplace Hazards to the Fetus

There is increasing scientific concern about exposing women of childbearing age to hazardous substances or unsafe conditions at work. It is the employer's responsibility to tell employees about potentially harmful conditions or chemicals in the workplace. This is particularly true when the employer is aware of workplace conditions that

may place a pregnant woman and/or her fetus at risk.

An employer's decision to reassign or terminate a female employee because of pregnancy may be considered discrimination based on sex, under some circumstances.

A U.S. Supreme Court decision in 1991 suggested that the safety of potential offspring is best left to the parents, and if need be, to the legislature.

To contact the Michigan Department of Civil Rights, call toll-free 1.800.482.3604

TTY Users 1.877.878.8464

Website www.michigan.gov/mdcr



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Pregnancy in the Workplace



Federal and Michigan laws ensure and protect the rights of pregnant women in the workplace

The Elliott-Larsen Civil Rights Act

This Michigan civil rights act prohibits discrimination on the basis of sex. This includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. An individual affected by such conditions cannot be treated differently for any employment-related purpose from another individual who is not so affected by similar inability to work.

An employer may not terminate a woman's employment because of her pregnancy. In December 2009, the Michigan legislature added an amendment clarifying that the pregnancy protections under state law are the same as those under federal law.

Federal Law

The Pregnancy Discrimination Act is an amendment to Title VII of the Civil Rights Act of 1964. The amendment requires that employees temporarily and medically disabled by pregnancy, childbirth, or related medical conditions be treated in a like manner to employees temporarily and

medically disabled by other non-work-related conditions or injuries.

Employees cannot be forced to begin or return from a maternity leave at predetermined times.



An employer cannot treat a pregnant employee differently than employees with other temporary medical disabilities for purposes of hiring, transfer, or accumulation of benefits while on leave. Compensation for time off during maternity leave must be consistent with the employer's policy for other types of leaves of absence.

What You Can Do About Pregnancy Discrimination

If you believe you have been subjected to unlawful discrimination based on pregnancy, contact the Michigan Department of Civil Rights. A civil rights representative will discuss your concern and try to resolve the matter. If this effort is not successful, a formal civil rights complaint may be taken. If a formal complaint is filed, both parties will receive a copy of the complaint and an explanation of how the process will proceed.

The Michigan Department of Civil Rights does not charge for its services.