

KNOW YOUR RIGHTS

PREGNANCY IN THE WORKPLACE

ACLU Illinois

In Illinois it is illegal for an employer with one employee or more to refuse to hire, fire, punish, or refuse to provide a reasonable accommodation because an employee or job applicant:

- is pregnant
- is recovering from childbirth, or
- has a medical or common condition relating to pregnancy or childbirth.

Common conditions of a healthy pregnancy are those that do not rise out of a medical diagnosis, such as needing more bathroom and water breaks.

No worker in Illinois should have to choose between having a healthy pregnancy and keeping their job.

REASONABLE ACCOMMODATIONS

Employers have to allow employees who are pregnant or new parents to adjust their work life with what is called a “reasonable accommodation.” This could include:

- bathroom breaks
- breaks for rest or water
- help with manual labor or lifting items
- a chair to sit on
- private space and break time for pumping breast milk
- temporary change to duties, schedule or work environment
- time off for medical appointments or medical leave

The employer does not have to provide an accommodation if it causes them an “undue hardship,” such as being prohibitively expensive or disruptive.

UNWELCOME ACCOMMODATIONS

An employer may not force an employee:

- to take a leave they do not want when another reasonable accommodation is available
- to accept an accommodation they do not want

NOTICE AND ENFORCEMENT

Employers must post a Notice about this law where notices to employees are customarily posted.

The Notice, prepared by the Illinois Department of Human Rights (IDHR) that enforces this law, can be found at <https://dhr.illinois.gov/publications/pregnancy-rights-notice-requirement.html> in English and Spanish.

The Notice provides contact information for filing a charge of discrimination with the IDHR—which must be filed within 2 years of the action that violated this law.

FOR MORE INFORMATION

If your employer punishes you for being pregnant or lactating, or refuses to give you a reasonable accommodation, you can share your story with us and we may be able to assist you.

<https://action.aclu.org/legal-intake/pregnancy-discrimination-complaint-form>