



Facts About Pregnancy Discrimination

Pregnancy discrimination is prohibited by Nevada state law and by Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth or related medical conditions constitutes unlawful sex discrimination.

Nevada Pregnant Workers' Fairness Act

Nevada State Law requires employers to accommodate female employees and applicants, upon request, for a condition related to pregnancy, childbirth, or a related medical condition, unless an accommodation would impose an undue hardship on the business of the employer. Employers may require a female employee to submit written medical certification from the employee's physician substantiating the need for an accommodation and the specific accommodation recommended by the physician.

Hiring

An employer cannot refuse to hire a woman because of her pregnancy related condition as long as she is able to perform the essential functions of the job with or without an accommodation.

Pregnancy and Maternity Leave

An employer may not single out pregnancy related conditions for special procedures to determine an employee's ability to work. However, an employer may use any procedure used to screen other employees' ability to work. For example, if an employer requires its employees to submit a doctor's statement concerning their inability to work before granting leave or paying sick benefits, the employer may require employees affected by pregnancy related conditions to submit such statements.

If an employee is temporarily unable to perform her job due to pregnancy, the employer must attempt to accommodate the employee, for example, by providing modified tasks, alternative assignments, disability leave or leave without pay.

Pregnant employees must be permitted to work as long as they are able to perform their jobs. If an employee has been absent from work as a result of a pregnancy related condition and recovers, her employer may not require her to remain on leave until the baby's birth. An employer may not have a rule, which prohibits an employee from returning to work for a predetermined length of time after childbirth. Employers must hold open a job for a pregnancy related absence.

Health Insurance

Any health insurance provided by an employer must cover expenses for pregnancy related conditions on the same basis as costs for other medical conditions. Health insurance for expenses arising from abortion is not required, except where the life of the mother is endangered. Pregnancy related expenses should be reimbursed exactly as those incurred for other medical conditions. The amounts payable by the insurance provider can be limited only to the same extent as costs for other conditions. No additional, increased or larger deductible can be imposed.

Fringe Benefits

Pregnancy related benefits cannot be limited to married employees. In an all-female workforce or job classification, benefits must be provided for pregnancy related conditions if benefits are provided for other medical conditions. If an employer provides any benefits to workers on leave, the employer must provide the same benefits for those on leave for pregnancy related conditions. Employees with pregnancy related disabilities must be treated the same as other disabled employees for accrual and crediting of seniority, vacation calculation, pay increases and temporary disability benefits.

Persons who file a charge, oppose unlawful employment discrimination, participate in employment discrimination proceedings, or otherwise assert their rights under the laws enforced by the Commission are protected against retaliation.

If You Think You Have Been Discriminated Against Because Of Pregnancy, Contact The Nevada Equal Rights Commission

Nevada Equal Rights Commission
7220 Bermuda Road, Suite 100
Las Vegas, NV 89119
PH: (702) 486-7161
Fax: (702) 486-7054

Nevada Equal Rights Commission
1325 Corporate Blvd., Room 15
Reno, NV 89502
PH: (775) 823-6690
Fax: (775) 688-1292

Or visit us on the Internet
www.detr.nv.gov/NERC

A complaint must be filed within 300 days of the date of the alleged discriminatory conduct.

You may also contact the federal Equal Employment Opportunity Commission (EEOC)
at 1-800-669-4000 or on the Internet at www.eeoc.gov

An equal opportunity employer/program
Auxiliary aids and services available upon
request for individuals with disabilities
TTY (775) 687-5353
Relay 711 or (800) 326-6868