**Sex and Pregnancy Discrimination – Understanding your Rights**

If you have been denied an employment opportunity, benefits, a well-deserved promotion, or were fired due to your pregnancy, you can take a legal action against your employer for discrimination. Every year, thousands of cases are filed with the Equal Employment Opportunity Commission (EEOC) for pregnancy discrimination. In 2014, new laws in Illinois were introduced to instruct employers for making reasonable accommodations, such as breastfeeding rights, light duty, and others, for their pregnant employees.

**Your Rights Under Federal and Illinois Laws**

The [Pregnancy Discrimination Act (PDA)](https://www.eeoc.gov/laws/types/pregnancy.cfm) is part of the federal Title VII of the Civil Rights Act that applies on employers with 15 or more employees and prohibits them from engaging in discriminatory acts against women based on childbirth, pregnancy, and other related medical conditions. In addition, the Illinois Human Rights Act has strict provisions against sex discrimination, which involves pregnancy discrimination as well. However, unlike the PDA, it applies to all types of organizations, including those with just a single employee.

Under these laws, you are protected from discrimination in the following ways:

* A prospective employer cannot ask you about your plans for having children or your pregnancy in a job interview.
* Your employer cannot deny promotion or appraisal that you clearly deserve due to your medical condition.
* Your employer cannot cut your hours or lay you off if they find out about your pregnancy. It is your right to keep your job as long as you are meeting its work requirements. Moreover, you are protected from any form of harassment, both from your employer and other employees, pertaining to your condition.
* Your employer is prohibited to provide different treatment than other employees because of your pregnancy. According to the Supreme Court, this means that your employer cannot put additional burden, like they may on other employees.

**Temporary Disability and Pregnancy**

If a pregnant employee is unable to carry out her work duties on a temporary basis due to her condition, the employer is required to treat her as they would an employee with temporary disability. In addition, if an employee experiences impairments due to pregnancy, they may be considered as disabilities under the ADA. This means that such an employee is entitled to accommodation in terms of alternative assignments, modified tasks, light duty work, leave without pay, or disability leave.

**Compensation Available for Pregnancy Discrimination**

If you are a victim of pregnancy discrimination, you may be able to receive several types of damages based on the individual circumstances of your case, such as:

* Pain and suffering, including emotional distress due to loss of employment or other discriminatory actions
* Attorney’s fees and court costs
* Out-of-pocket expenses, back pay, and lost benefits
* Front pay when reinstatement may not be a valid option
* Punitive damages to punish the employer for engaging in discriminatory acts and overstepping the legal boundaries

If you have faced discrimination based on your pregnancy related medical condition, you can file a complaint with the EEOC, and take legal action against your employer. [Contact](http://www.lawofficemichaelsmith.com/contact-us/) the Law Office of Michael T. Smith today at 847.466.1099 to schedule an initial consultation with an [employment discrimination attorney](http://www.lawofficemichaelsmith.com/contact-us/).