

Pregnant Women & Discrimination - Your Rights

Is Discrimination Against the Law?

Yes. It is generally against the law to treat you differently or harass you because you are pregnant:

- in employment
- when you get or try to get most types of goods or services - for example, from shops, restaurants, banks, professional offices, state and local government facilities, hospitals, etc.
- when you rent or try to rent accommodations such as apartments, commercial premises or hotel rooms
- when you buy or try to buy a home or other real estate
- when you apply to get into or are studying in most schools or colleges

What are My Rights at Work?

Generally, your employer must treat pregnant employees the same way as they treat all their other employees. They must do this whether you are a permanent, full-time, part-time or casual employee. They can only treat you differently, if there's a legal reason for them to treat you differently.

For example, it is generally against the law to:

- not hire you, because they think you might become pregnant
- dismiss you or lay you off, because of your pregnancy, before the date you want to either resign or take maternity or family leave
- harass you or allow other employees to harass you, because of your shape or pregnancy
- not provide you with larger sizes of uniforms if they normally provide your uniform

- transfer you to another job "out of sight," because you are pregnant
- transfer you to another job where they think a pregnant woman will be safer - unless there are proper medical or safety reasons for this
- prevent you from being trained just because you are pregnant, although for example, if the training course continues after the date you intend to leave work, it is probably reasonable for them to refuse you the training, if it is possible for you to complete the training at another time
- stop you from being promoted just because you are pregnant
- not give you the same or similar job when you return from maternity or pregnancy leave.

What Can I Do if I'm Treated Unfairly or Harassed Because I'm Pregnant?

If you can't work out a solution with your employer or with a place of housing or public accommodations, you may wish to take legal action to resolve your problem.

The Division on Civil Rights is authorized to investigate complaints of unlawful discrimination that violate the New Jersey Law Against Discrimination. The Division is also authorized to investigate complaints of violations of the New Jersey Family Leave Act. Complaints must be filed with the Division within 180 days of the last act of alleged discrimination, or within 180 days of your discovery of facts that indicate you have been treated unlawfully.

You may also have a right to file a lawsuit in state court or to file a claim with the federal Equal Employment Opportunity Commission. If you wish to discuss your situation, contact the regional office closest to where you work or live for further information, listed on the other side of this fact sheet.

CIVIL RIGHTS

For More Information

The Department of Law & Public Safety, through its Division on Civil Rights, is responsible for enforcing the law. To file a complaint, contact or visit the office nearest you:

Atlantic City Satellite Office:

26 Pennsylvania Avenue, Atlantic City, NJ 08401

Phone: (609) 441-3100

Fax: (609) 441-3578

Camden Regional Office:

One Port Center, 4th Floor, Suite 402

2 Riverside Drive, Camden, NJ 08103

Phone: (856) 614-2550

Fax: (856) 614-2568

TDD# (609) 757-2958

Newark Regional Office:

31 Clinton Street, Newark, NJ 07102

Phone: (973) 648-2700

Fax: (973) 648-4405 / (973) 648-7582

TDD# (973) 648-4678

Paterson Regional Office:

100 Hamilton Plaza, Paterson, NJ 07501

Phone: (973) 977-4500

Fax: (973) 977-4511

TDD# (973) 977-1955

Trenton Regional Office:

140 East Front Street / P.O. Box 090

Trenton, NJ 08625-0090

Phone: (609) 292-4605

Fax: (609) 984-3812

TDD# (609) 292-1785

Visit our web site at www.NJCivilRights.org