



Helping working families make it work.

Know Your Rights: Pregnancy Accommodations

Washington D.C., Maryland, and Virginia

District of Columbia

- In D.C., employers must provide reasonable accommodations to **all women** (except federal government employees) whose ability to work is affected by pregnancy, childbirth, a related medical condition, or breastfeeding.
- Covered medical conditions include post partum depression and miscarriage.
- “Reasonable accommodations” may include:
 - More frequent or longer breaks;
 - Acquisition or modification of equipment or seating;
 - Temporary transfer to a less strenuous or hazardous position, or light duty, or a modified work schedule;
 - Having the employee refrain from heavy lifting;
 - Relocating the employee’s work area;
 - Providing private (non-bathroom) space for expressing breast milk.
 - Unpaid time off, including for prenatal appointments.
- **All women** have the right to unpaid time off to recover from childbirth, even those who are not covered by FMLA.
- Your employer is prohibited from firing or demoting you because you request or use a reasonable accommodation.
- Your employer must reinstate you to your original job or to an equivalent position once you no longer require accommodation.
- Federal law also applies to women employed in D.C. (See below.)

Maryland

- Under Maryland state law, you may have a right to a reasonable accommodation if you have a disability “caused or contributed to by pregnancy or childbirth.”

- “Reasonable accommodations” may include:
 - (1) changing the employee's job duties;
 - (2) changing the employee's work hours;
 - (3) relocating the employee's work area;
 - (4) providing mechanical or electrical aids;
 - (5) transferring the employee to a less strenuous or less hazardous position; or
 - (6) providing leave.
- Your employer is prohibited from firing or demoting you because you request or use a reasonable accommodation.
- Federal law also applies to women employed in Maryland. (See below.)

Virginia

- There are currently no state laws in Virginia that give a pregnant woman the right to a reasonable workplace accommodation. (See federal law, below.)

Federal Law

- Federal law applies to all employees in the United States regardless of where they work.
- You may have the right to an accommodation if you have a pregnancy complication and/or a diagnosis for an illness related to pregnancy that causes limitations which constitute a temporary disability.
- You may have the right to an accommodation if other non-pregnant employees are similar to you in their ability or inability to work and receive reasonable accommodations.

Need legal assistance?

This fact sheet is intended to provide general information about legal rights in the workplace. For legal advice about your own individual situation, please consult an attorney.

First Shift Justice Project can advise you on these issues for free or low-cost. Please contact us at lbrown@firstshift.org or 240-241-0897. You may also consult our website: www.firstshift.org.