

7-A | WHAT IS PREGNANCY DISCRIMINATION AND DOES THE FCRA COVER IT?

At present, there is no law in the State of Florida covering pregnancy discrimination for all employees. However, the Court of Appeal of Florida (1st. Dist.) has ruled that federal law preempts state law in this area, so the Federal Pregnancy Discrimination Act applies.^{[51](#)}

State employees, however, are protected from pregnancy discrimination by the laws governing the Career Service System. This law forbids the state from terminating employees due to pregnancy or adoption, and requires the state to grant six months of unpaid medical leave upon notice from a physician.^{[52](#)} Furthermore, the law also requires that employees be reinstated with the same pay, status, and benefits after a medical leave of absence.^{[53](#)}

(unknown authors)

Footnotes

⁵¹ O' Laughlin v. Pinchback, 579 So. 2d 788, 792 (Fla. App. 1st 1991).

⁵² Fla. Stat. Ann. §110.221(2).

⁵³ Fla. Stat. Ann. §110.221(3).

