



FCRA WAGE PROJECT
CHAPTER 7: PREGNANCY DISCRIMINATION CLAIMS
[ALL-IN-ONE DOCUMENT]

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E: TextBookDiscrimination@gmail.com
W: www.TextBookDiscrimination.com

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TABLE OF CONTENTS | CHAPTER 7 | PREGNANCY DISCRIMINATION CLAIMS

#	Item	Title	Page
G00	7-0	Chapter Intro - Pregnancy Discrimination Claims	4
G01	7-A	What is Pregnancy Discrimination and Does the...	5
G02	7-B	What Else Can I Do?	6
-	n/a	Appendix	7



EEO LAW BASICS

CHAPTER: 7 PREGNANCY DISCRIMINATION CLAIMS

AUTHOR: *unknown*

ITEMS: A through B



7-0 | CHAPTER INTRO - PREGNANCY DISCRIMINATION CLAIMS

I think my employer is discriminating against me because I am pregnant.

- a. What is pregnancy discrimination and Does the FCRA cover it?
- b. What else can I do?

(unknown authors)



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).



7-B | WHAT ELSE CAN I DO?

You may still be able to file a claim under Federal Law. See the Federal Law page for more details.

(unknown authors)



APPENDIX



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