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Interview Discrimination and Pregnancy

By Breanna Leuze

Employers it seems, have been asking the “illegal questions” lately, and have had a difficult time in answering for their poor behavior as it relates to pregnancy discrimination in the workplace. Do you know what your rights are, as a candidate interviewing for a position with an employer? Do you know the laws that protect you as a candidate or employee?

Did you know that 75% of the estimated 68 million women working, will become pregnant at some point in their lives? Fortunately, there is the Pregnancy Discrimination Act which was added as an amendment to Title VII of the Civil Rights Act of 1964.

Yet, between 2016 and 2017, there were still over 6,660 complaints filed of discrimination which could consist of the basis of pregnancy, childbirth, or related medical condition. Women affected by pregnancy or related condition must be treated as any other employee and or candidate who are similar in position type from the title, skills, and or job description.

Emily Martin, vice president and general counsel of the National Women’s Law Center stated, “It still is the case that too many people think that pregnancy and motherhood are incompatible with work.”



According to the EEOC, “An employer cannot refuse to hire a woman because of her pregnancy-related condition as long as she is able to perform the major functions of her job. An employer cannot refuse to hire her because of its prejudices against pregnant workers or because of the prejudices of co-workers, clients, or customers. The PDA also forbids discrimination based on pregnancy when it comes to any other aspect of employment, including pay, job assignments, promotions, layoffs, training, fringe benefits, firing, and any other term or condition of employment.”

- Do you have any doctor appointments with any specialists for pregnancy?
- Are you currently under the guidance of a doctor’s care for anything related to childbirth?
- Do you plan on having more children?
- Have you miscarried a baby?
- Have you not had children yet?
- Do you plan on having kids or seeking fertility treatments?

Your potential response to answer all of these questions is very simple. The question you are asking is not necessary nor does it demonstrate my ability to successfully complete and or fulfill the requirements of this position. This question or any question as it relates to my origin is not indicative of my job performance.

A great resource if you have more questions related to pregnancy discrimination is to visit www.eeoc.gov. The site has more information and other resources for you to review. When it comes to interviewing and job searching, research and understand your rights as a potential candidate and potential employee. If someone is asking you these questions now and treating you differently, how would they treat you if you were to be offered a full-time position?

