

Census Stats Show Pregnant Women Make Workplace Gains, Setbacks Too

By Michael W. Macomber

Providing some bright news for soon-to-be mothers striving to achieve a balance between work and family, the latest U.S. Census Bureau statistics show that over the past two decades the percentage of women who worked during their first pregnancies and who received paid leave during that period has grown significantly. Clouding this news, however, statistics show an increase in the percentage of women who were terminated from their jobs shortly before or after their first birth. In addition, some new mothers who return to their jobs continue to see their pay drop below pre-pregnancy levels.

Between 2006 and 2008, 50.8 percent of women who worked shortly before or after their first birth received paid leave, compared to only 37.3 percent between 1981 and 1985, according to the Census Bureau. Paid leave includes paid maternity, vacation and sick leave. During the same period, the number of first-time mothers who worked during their pregnancies rose to 56.1 percent from 54 percent in the early 1980s.

These statistics are encouraging because they show how businesses have become more receptive to women in the workforce. While 35.7 percent of working women ended up quitting their jobs shortly before or after their first pregnancy in the early 1980s, only 21.9 percent of such women quit between 2006 and 2008.

Unfortunately, not all businesses have warmly embraced the growing ranks of pregnant women in the workforce. The percentage of women who were terminated shortly before or after their first pregnancy rose to 4.7 percent between 2006 and 2008, up from only 3.5 percent in the early 1980s. Given that 3.4 million women worked during their pregnancies between 2006 and 2008, that means approximately 158,000 were let go during those years.

In addition, 2.5 percent of women who returned to work for their prior employer within a year of their first pregnancy saw their pay level decrease.

While you would expect employers to know the law, it is important for working women to know what rights they have to protect themselves. If an employer does not offer its employees paid leave, or if an employee has exhausted all of her paid leave before or after birth, the Family Medical Leave Act allows eligible women to take up to 12 weeks of unpaid leave and return to their former position. In addition, the Pregnancy Discrimination Act also prohibits employers from discriminating against women because of pregnancy or childbirth.

Women who believe they have either been denied FMLA-covered leave or who have been denied promotion, appointment, or have been harassed because of their pregnancy should contact an employment law attorney to discuss their rights.

Michael W. Macomber

is an associate with Tully Rinckey PLLC who concentrates his practice on employment law

and civil litigation

. He can be contacted at mmacomber@1888Law4Life.com

. To schedule a meeting with one of Tully Rinckey PLLC's employment law attorneys call 1-888-Law-4-Life.