

Pregnant employee: Does her boss know how to respond?

When an employee shares the news of her pregnancy with her manager, it may bring on mixed emotions. While the supervisor may be happy for the employee, the realities of scheduling and productivity will weigh heavy on his or her mind.

Another important consideration: the legal risks—something many managers are not even aware of.

Pregnant employees are granted special rights in the workplace under federal and state laws. On the federal level, the Pregnancy Discrimination Act, which applies to organizations with 15 or more employees, makes it unlawful for employers to discriminate against workers on the basis of pregnancy or childbirth.

One important point: The PDA doesn't require employers to give special treatment to pregnant employees. You just have to deal with pregnant employees the same as you treat other employees with temporary disabilities.

In 2014, the EEOC issued its first update to pregnancy discrimination guidelines in 30 years.

Here are key points for your managers to remember:

Hiring, firing: Ignore pregnancy

Employers can't fire or refuse to hire a woman because of her pregnancy, a pregnancy-related condition (such as an abortion) or because of the prejudices of co-workers or customers. For that reason, never ask job applicants during interviews if they plan to have children or have more children.

Handle initial talk with care

When managers learn an employee is pregnant, they should offer congratulations and not much else. Don't immediately say something like, "Who will do your work?" or "Will you quit after having the baby?" Employees could use such comments as evidence of bias.

Encourage managers to send newly announced pregnant workers to HR, where you can discuss FMLA and other leave issues.

Know policy and law on leave

Managers should treat any disabilities caused by the pregnancy the same as other temporary disabilities under the company's health, disability or sick-leave plan. For example, the new EEOC guidelines say that if an employer has allowed other temporarily disabled employees to modify their work or perform light-duty assignments, the employer must do the same with the pregnant employee.

You must allow pregnant employees to work as long as they're able to perform their jobs. Must you keep her job open until she's ready to return? Generally, yes. Unless she tells you that she's not returning, you must keep

her job open for the same amount of time that jobs are held open for employees on sick or disability leave for other reasons.