

# **WOMEN'S STRESS INTERVENTION: Peer Support Intervention for Women Firefighters**

## **REPRODUCTIVE HEALTH & WOMEN'S RIGHTS WITHIN THE FIRE DEPARTMENT – An Introduction**

8/4/2022

Scalambrino & Arnoff, LLP



# *Has anyone else heard???*

- I am the first woman in my Department to become pregnant while working. I was told to write the pregnancy leave policy myself.
- My leadership does not think that firefighting and motherhood can co-exist.
- I was told to talk to my Union.
- I was told it is not in the collective bargaining agreement.
- The last time a woman firefighter reported she was pregnant, they put her on light duty right away, on a 9-5 shift.
- There is no place for me to express milk.
- Even if I could pump at work, doing so will just create more opportunities for harassment.
- This will not be of interest/useful to our attendees.



# Women's Rights – What Rights?

- Federal Laws
  - Leave, Light Duty, Lactation
    - Title VII & PDA
    - ADA
    - FMLA
    - FLSA
  - State Variations of Same
  - Collective Bargaining Agreements
  - SOPs and SOGs
  - Past practices
- Related issues
  - NFPA 1582, Annex D
  - Lack of policies
  - Anxiety affecting pregnancy, ability to become pregnant and/or milk production
  - Pump and dump
  - Proper fitting PPE & clothing
  - Recruitment and retention
  - History of how Department/Agency has addressed pregnant firefighters



# Women's Rights – What Rights?

- Federal Law
  - Title VII – Prohibition of Gender Discrimination
    - Amended by the Pregnancy Discrimination Act
    - Covers pregnancy & any condition related to pregnancy or childbirth
    - Stereotyping
    - Refusal to modify duties/place on light duty
    - Harassment
    - Caregiving responsibilities
  - Americans with Disabilities Act
    - Status
    - Accommodation



# Women's Rights – What Rights?

- Federal Law
  - Family & Medical Leave Act
    - Covers all public entities
    - Private entities with at least 50 employees within 75 miles
    - Unpaid time off for up to 12 weeks
      - Includes for employee's own serious health condition
        - Pre-natal issues
        - Pregnancy
        - Pregnancy-related health condition
        - Childbirth
      - Also includes childrearing leave
        - Pregnancy leave versus maternity/paternity/childrearing leave



# Women's Rights – What Rights?

(r) An employer shall provide—

(1)

1. a reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk; and
2. a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk.

(2) An employer shall not be required to compensate an employee receiving reasonable break time under paragraph (1) for any work time spent for such purpose.

(3) **An employer that employs less than 50 employees shall not be subject to the requirements of this subsection, if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.**

(4) Nothing in this subsection shall preempt a State law that provides greater protections to employees than the protections provided for under this subsection.



# Women's Rights – What Rights?

- How many breaks?
  - Particular to each firefighter
    - Age of the baby
    - Baby's nursing schedule
    - Whether the baby is also eating solid food
    - Need changes over time
  - Mother knows best!
- Requirements of location
  - It cannot be a bathroom
  - It cannot be a bathroom
  - It must be PRIVATE
  - It must be SHIELDED FROM VIEW
  - It must be FREE FROM INTRUSION OF CO-WORKERS & THE PUBLIC



# Women's Rights – What Rights?

- What would be useful, even if not required?
  - A door that locks
  - A mirror
  - Sufficient electrical outlets
  - A refrigerator
  - A sink
  - A work surface
  - A chair
  - Storage
  - Adequate heating and cooling
  - Other?





# Educating your Department/Agency

- NFPA 1582, Annex D
  - Not an official part of the standard
  - Useful information, especially if doctor unfamiliar with job hazards
  - Discusses physical, chemical and biological hazards
  - Risks and recommendations
- PPE – Uniform needs change as body changes
- Well developed, implemented and followed policies = recruitment and retention
- Enhanced psychological safety for pregnant firefighters



# Women's Rights – What Rights?

- *Do I have to disclose a pregnancy?*
- *Do I have to disclose fertility treatments?*
- *When should I disclose a pregnancy?*
- *To whom should I disclose a pregnancy?*
- *Is my Department/Agency required to create a light duty position for me?*
- *What is my doctor says I can still do fire suppression but my Department/Agency says I cannot?*
- *Can I breastfeed (as opposed to pumping) while on duty?*
- *What happens if I make a complaint about a denial of my rights?*
- *Should I complain internally?*
- *Should I complain externally?*
- *Should I just “tough it out”?*
- *Do I need a lawyer?*
- *Should I have a lawyer?*
- *What happens if I quit?*



# Additional Resources

- [www.eeoc.gov](http://www.eeoc.gov)
- [www.usccr.gov/files/pubs/crd/statelocal/all.htm](http://www.usccr.gov/files/pubs/crd/statelocal/all.htm)
  - (not up to date but best I could find)
- [www.dol.gov/agencies/whd/nursing-mothers](http://www.dol.gov/agencies/whd/nursing-mothers)
- [www.dol.gov/agencies/whd/fmla](http://www.dol.gov/agencies/whd/fmla)
- [www.ncsl.org](http://www.ncsl.org)
  - State Family and Medical Leave Laws
  - Discrimination and Harassment in the Workplace
  - Breastfeeding State Laws
- [www.womeninfire.org](http://www.womeninfire.org)
- Alisa – [aba@sacounsel.com](mailto:aba@sacounsel.com), 312-953-7696

E-MAIL BRITTANY FOR  
A COPY OF THIS LIST  
AND FOR A COPY OF  
NFPA 1582, ANNEX D



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**Thank you and be safe!**

