

No woman in Kentucky should have to choose between the health of her pregnancy and her job. Yet, this is happening all too often in the Commonwealth. The Kentucky Pregnant Workers' Rights Act (KY PWRA)(SB 38) would ensure that pregnant workers are given fair treatment on the job and would promote equal opportunity in the workplace by giving pregnant women the reasonable accommodations they need, when they need them.



Officer Trischler & her daughter.

Officer Lyndi Trischler worked as a patrol officer in Florence, Kentucky, in 2014 when she became pregnant for the second time. Because of the heavy equipment and physical demands of patrolling she requested light duty after consulting with her healthcare provider. The City told her that, even though it had given her light duty for her first pregnancy, its new policy was to only give accommodations to employees injured on the job. She was told she had to use all of her saved paid leave and then go on unpaid leave. Even worse, the City said that her health benefits would be cut off during a very complicated pregnancy—her son had a rare genetic disorder and would not survive long after birth. Officer Trischler worked as long as she could, but at five and a half months pregnant she was forced out of work when she needed accommodations for her health.

Officer Riley also worked for the Florence Police Department. Half way through her pregnancy, Officer Riley could no longer go on patrol due to the pain and discomfort of the patrol equipment, and she too was forced to use up her leave before her child's birth.



Officer Riley (left) & her family.

Both Officers Trischler and Riley wanted to work throughout their pregnancy—they were committed to their jobs, and they knew that they could contribute to the department even when they could no longer go on patrol. During the time when they were both pushed off the job, the police force of over sixty had no female officers on patrol.

A Better Balance represented the officers in their legal efforts, and the Department of Justice joined the officers' case. In October 2016, despite continuing to state its position that it was not in violation of the law, the City of Florence agreed to change its policy to include accommodations for pregnant workers and to compensate the officers for the harm caused by its refusal to accommodate them. While this was a hard-fought victory for Officers Trischler and Riley, the economic and emotional toll that being pushed out of work placed on both of them and their families was steep during a time in their lives when they were most in need of support.

These two brave officers were forced to litigate for nearly two and a half years to get justice in their case, when all they wanted from the beginning was an accommodation so that they could stay on the job. Officer Trischler states, "This has been a long and difficult process for me . . . No officer—in Florence or anywhere in the country—should have to endure the stress and pain I endured simply for getting pregnant." The Kentucky Pregnant Workers' Rights Act will make sure than no pregnant woman in Kentucky is forced out of work while pregnant when a reasonable accommodation would keep her both healthy and on the job, by making a right to accommodation explicit in the law.