

## Rights during pregnancy

It's important to understand the legal rights someone has when they're pregnant.

### Protection from discrimination

It's against the law to treat someone unfavourably because they are pregnant. The law is the Equality Act 2010.

All employers should take steps to make sure pregnancy discrimination does not happen at work.

If someone has experienced discrimination at work, they can make a complaint to their employer.

[Find out more about pregnancy and maternity discrimination](#)

### Additional rights for employees

By law, anyone with the [legal status of employee](#) who is pregnant has additional rights at work. The law is the Employment Rights Act 1996.

These rights include protection from:

- detriment
- dismissal
- redundancy

Someone is not likely to be an employee if they're:

- an agency worker
- a casual worker
- on a zero-hours contract

Someone who does not have the legal status of employee does not have the same protection by law. However, they could claim pregnancy discrimination if they:

- experience detriment because of pregnancy
- are dismissed because they're pregnant

### Protection from detriment

An employer must not cause an employee 'detriment' because they are pregnant.

Detriment means someone experiences one or both of the following:

- being treated worse than before
- having their situation made worse

Examples of detriment could be:

- their employer reduces their hours
- they experience [bullying](#)
- they experience [harassment](#)
- their employer turns down their training requests without good reason
- they are overlooked for promotions or development opportunities

## Protection from unfair dismissal

Employees are protected against unfair dismissal related to pregnancy. This includes if they have not told their employer but the employer suspects they are.

If an employer dismisses an employee while they're pregnant, they must give the reasons in writing.

Pregnancy is never a valid reason to dismiss someone. If an employee is dismissed because they are pregnant it is 'automatically unfair'.

An employee can make a claim for automatically unfair dismissal regardless of how long they've worked for their employer.

[Find out more about unfair dismissal](#)

## Redundancy protection

Pregnant employees have special protection in a redundancy situation.

By law, employers must offer them a suitable alternative vacancy, if there is one.

If an employer does not follow the law, it might be automatically unfair dismissal. If the person is pregnant or on maternity leave, it could also be pregnancy and maternity discrimination.

[Find out more about redundancy protection for pregnancy and new parents](#)

## Maternity leave and pay

After giving birth, someone might be entitled to maternity leave and pay.

Find out about:

- [entitlement for maternity leave](#)
- [maternity pay](#)

## Raising a problem

If someone has a problem at work related to their pregnancy, they can raise it informally first. They can do this by [talking with their employer](#).

If they've already tried to resolve things informally, they can [raise a grievance](#). This is where someone makes a formal complaint to their employer.

## Making a claim to an employment tribunal

A formal complaint might not resolve the problem. In these cases, someone might be able to make a claim to an employment tribunal.

The type of claim someone can make depends on their employment status.

Someone with the [legal status of employee](#) can make an employment tribunal claim for:

- detriment
- unfair dismissal
- discrimination

Someone who does not have the legal status of employee can only make a claim for discrimination.

There are strict time limits for making a claim to an employment tribunal.

[Find out more about making a claim to an employment tribunal](#)