



WHAT EVERY WORKING WOMAN NEEDS TO KNOW ABOUT
MATERNITY LEAVE IN THE UNITED STATES

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What Every Working Woman Needs to Know About

Maternity Leave in the United States

Overview

It would be really nice if when an American woman decided to have a child, she could be assured that she would have adequate funds to meet her essential financial obligations (a home, clothing, food, utilities, etc...), comprehensive health care that would provide optimum care that is in her best interest and in the best interest of her child, and any necessary social support she needed (help with older children, home up keep, etc..) throughout her pregnancy and in the early post partum. Unfortunately that is not the case in this country.

The United States is the only developed nation that offers female employees no paid maternity leave and among a very short list of developing nations (Swaziland, Papua New Guinea and Lesotho) that don't provide paid maternity leave ¹. Even such "Rogue Nations" as Iraq, Iran and Somalia offer paid maternity leave (Iraq: 62 days @ 100%, Iran: 90 Days, 16 weeks at 66.7%, Somalia: 14 Weeks at 50%) ². Until very recently, Australia offer no paid maternity leave for its female workers, but it did allow for one full year of unpaid leave for parents to take, splitting the 52 weeks between mother and father. Job security is guaranteed during this time ³. As of January of 2011, Australia will give its female employees 18 weeks paid maternity leave in addition to the 52 weeks off split between both parents. The caveat is that the payment is at the federal minimum wage, as of a ruling in June of 2010 will be raised to \$15/hr ⁴. In contrast, The United States offers 12 weeks of unpaid medical leave for its workers, subject to restrictions. So the United States stands alone in its unwillingness to compensate its female employees while out on maternity leave, and if an employee is absent for more than 12 weeks, they are not guaranteed job security.

These are alarming statistics to say the least, but they are statistics that every working woman in the United States needs to be aware of. While some women are fortunate enough to work for private companies that offer paid maternity leave women need to understand that paid maternity leave is a benefit provided at the discretion of their company. If financial situations become dire, paid maternity leave is often one of the first benefits to be scrapped. While many companies will try to maintain a woman's position upon her return, if a woman has a complicated pregnancy

requiring her to be absent for 12 or more weeks before delivery (i.e. go out on bed rest) and then another 6 to 8 weeks or more post partum, her position with the company often becomes tenuous at best.

So what is a woman to do? What are her options? How do American women make it work- having children while also trying to hold down a job or build a career?

Labor laws and maternity leave benefits vary greatly. Federal laws are applicable to everyone, yet individual states have different laws and as we have just said, individual companies have still other rules and regulations regarding maternity leave. In an effort to give women a reference from which to plan their maternity leave, ***Mamas on Bedrest & Beyond*** has compiled this report to inform working women what options they have regarding maternity leave and allow them to plan (hopefully prior to becoming pregnant) how they will meet their financial obligations while on maternity leave. This report is as comprehensive as possible, but may not be exhaustive as there may be some rules and regulations of which we are not aware.

Federal Laws

The United States has one law governing medical leave and that is the *Family Medical Leave Act (FMLA) of 1993*. This law states that:

The Family and Medical Leave Act (FMLA) provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12-month period to eligible, covered employees for the following reasons: 1) birth and care of the eligible employee's child, or placement for adoption or foster care of a child with the employee; 2) care of an immediate family member (spouse, child, parent) who has a serious health condition; or 3) care of the employee's own serious health condition. It also requires that employee's group health benefits be maintained during the leave.^{5,6}

FMLA was amended in 2008 to include 2 military entitlements. The ***National Defense Authorization Act for fiscal year 2008***, Public Laws 110-181, now grants certain entitlements to family members of military personnel, specifically via section 585 (a) stating:

(1) Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation, and

(2) Up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period.^{7,8}

That is the extent of Medical Leave in the United States. Now there are certain caveats of which everyone should be aware. FMLA only applies to companies that have 50 or more employees. So if a person, in our case a woman, is employed by a small company she may not be entitled to the 12 weeks of unpaid leave and guarantee of her position upon her return. Additionally, if she has worked for her company for less than 12 months prior and for fewer than 1250 hours in the past 12 months prior to her proposed maternity leave, she may not be eligible for FMLA leave and many not be entitled to the job security that FMLA guarantees.

Federal Employees and FMLA

In January of 2009, Representative Carolyn Maloney (D-NY) introduced **H.R.626 - Federal Employees Paid Parental Leave Act of 2009**. The bill is intended to:

Provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.⁹

The bill was passed by the U.S. House of Representatives in June of 2009. It has yet to be discussed or voted on in the U.S. Senate. If passed and signed into law by the president, federal employees will be entitled to the mandated 12 weeks of medical leave as stipulated in FMLA, but 4 of those 12 weeks will be paid. (Perhaps big government isn't so bad-at least not working for them!)

State Medical Leave Laws

The vast majority of states within the United States have no specific maternity leave laws or entitlements. However, 5 states-California, Hawaii, New York, New Jersey and Rhode Island-and the Commonwealth of Puerto Rico have made some provisions for paid Maternity leave.¹⁰

States with Paid Maternity Leave Benefits

California¹¹

California has by far some of the best maternity leave benefits of all the 50 states. California does abide by the rules and regulations of FMLA, but has also enacted the **CFRA (California Family Rights Act)** which has the same stipulations for family leave as FMLA (must be an employee of a company of 50 or more employees, have worked for more than 1 year or 1250 hours prior to taking the benefit and work for an employer with at least 50 employees within 75 miles of the workplace).

For employees who are not eligible for FMLA or CFRA, there is **Paid Family Leave (PFL)**. More like a short term disability plan, PFL went into effect in 2004 and allows up to six weeks of paid leave at 55% of an employee's normal wages. All employees are covered under the PFL, not just those who work for companies with 50 or more employees, however ***a business with less than 50 workers is not required to hold your position if you go on paid family leave.*** Because PFL is not employer administered by the employer, you must apply for PFL; your employer will not do this for you.

The California Pregnancy Disability Leave Law (PDLL) kicks in when a woman has a complicated pregnancy rendering her unable to perform her job. PDLL allows for up to 4 months off for complications such as severe morning sickness, prenatal care, physician-ordered bed rest, childbirth and recovery from childbirth and a woman must be deemed incapable of doing at least one essential job task without risk to herself or her child. The pregnancy disability leave requires that a woman's position be held for up to four months (unpaid), then after the delivery of her baby she will receive a fresh set of 12 weeks leave under CFRA.

New York¹²

New York's maternity leave falls under the statutes that govern the state's Worker's Compensation benefits. So in addition to the protections afforded under FMLA, New York mamas might also be entitled to up to 26 weeks of worker's compensation benefits. A pregnant woman who is disabled because of her pregnancy might be entitled to worker's compensation benefits if:

- the disability begins either 4-6 weeks before the baby's due date or 4-6 weeks after the baby is born
- specific medical information regarding symptoms will be required from the treating doctor or certified nurse midwife
- Worker's compensation disability benefits can be collected during maternity leave if the maternity leave is unpaid.

Pregnancy Discrimination

Under New York State's Human Rights Laws you cannot be discriminated against in the workplace because you are pregnant, and your pregnancy can be considered a temporary disability.

- Your employer cannot fire you because you are pregnant
- You cannot be denied employment because of pregnancy
- You cannot be required to take mandatory maternity leave (unless your pregnancy prevents you from actually being able to perform your job)

In New York, a pregnant worker has to be treated like any other worker who has a non-work related temporary disability, and they must receive the same benefits as those workers for and during their temporary disability. If an employer would hold the job of someone recovering from a heart attack or a skiing accident, they need to hold open the job of an employee on maternity leave.

New Jersey

New Jersey has a variety of maternity laws, regulations and benefits available for parents and families. First there is FMLA, the federal program allowing for up to 12 weeks unpaid leave for qualified employees.

The ***New Jersey Medical Leave Act (NJMLA)*** can extend the federal FMLA leave time from 12 to 18 weeks and ensures job protection.^{13,14}

New Jersey Maternity Leave benefits are 66% of a woman's weekly gross income or \$561 in 2010, whichever is less. These benefits are paid out for 18 weeks the standard maternity leave time allotted and may be extended if complications arise.¹⁵ **New Jersey Pregnancy Disability** is paid out as a disability insurance program for which employees must apply. Not all employees are eligible; Government workers, teachers and independent contractors are not eligible or pregnancy disability. Coverage begins 4 weeks pre-delivery and extends for 8 weeks post partum and for another 6 weeks of paid family leave.¹⁶

New Jersey also has **Temporary Assistance for Needy Families (TANF)** through the state's **WorkFirst Welfare to Work Program**. WFNJ provides temporary cash assistance and many other support services to families in need.¹⁷

Hawaii

The Hawaii Family Leave Law (HFLL) provides four weeks of protected leave for the mother or father to care for the child of which 10 days may be paid if the employer has a policy that provides for paid time off. Eligible employees work for an employer with 100 or more employees. Employees must have been employed for at least 6 consecutive months prior to requesting leave. However, employees need not work a specified number of hours, so HFLL applies to full-time, part-time, temporary, casual, on-call or intermittent workers.¹⁸

Hawaii provides paid maternity leave benefits through a Temporary Disability Insurance (TDI) Program. To be eligible for TDI benefits, a woman must have worked at least 14 weeks in Hawaii during which the employee was paid for 20 hours or more and earned not less than \$400 in the 52 weeks preceding the first day of disability. The 14 weeks need not be used all at once or with only one employer. The employee must also be in current employment to be eligible.¹⁹

Rhode Island

The Rhode Island Parental and Family Medical Leave Act mandates that Rhode Island employees who have been employed by the same employer for twelve consecutive months shall be entitled, upon advance notice to his or her employer, to thirteen consecutive work weeks of parental leave or family leave in any two calendar years. Paid Maternity Leave Benefits in Rhode Island are paid at 60% of gross income.

Many pregnant women on Rhode Island are eligible for Short Term Disability Insurance which pays 66% of a woman's salary. As always, women must have purchased these policies 12 months prior to conception.²⁰

Puerto Rico²¹

Puerto Rico is not a state but an unincorporated territory of the United States. It has been a commonwealth of the United States since 1952. It's unique relationship with the United States gives it many of the laws and privileges afforded individual states, so whenever one is considering U.S. laws, they must evaluate Puerto Rico individually as some of the U.S. federal laws are applicable to Puerto Rico while others are not.

Labor laws are governed by ***Constitution of the Commonwealth of Puerto Rico*** approved in 1952. ***The Minimum Wage, Vacation, and Sick Leave Act of Puerto Rico (Minimum Wage Act)*** was enacted on July 27, 1998, and under this law, ***The Working Mother's Protection Act***, grants pregnant employees the right to enjoy maternity leave with full pay of four weeks before childbirth and four weeks after childbirth. Many women, wishing to spend more time with their babies will work as much as possible prior to delivery and use the bulk of their paid leave post partum. In such cases, they must present documentation from their health care providers that their employment poses no threat to them or their unborn child.

Here are the individual state laws regarding Family/Parental Medical Leave of the remaining 50 States and the District of Columbia as they stand in 2010. Some states have a few specifics to maternity leave in addition to the mandated FMLA laws.^{22,23}

Alabama – No guaranteed job protection or benefits for new parents and no leave benefits beyond FMLA.

Alaska - No guaranteed job protection or benefits for new parents. *Alaska's Family Leave Law* provides state and other public employees up to 18 weeks of unpaid job-protected leave every 24 months to care for a spouse with a serious health condition, a worker's own serious health condition (including pregnancy disability and recovery from childbirth) or to care for a newborn or newly adopted child.

Arizona - No guaranteed job protection or benefits for new parents. Arizona state employees are entitled to 12 weeks of unpaid job-protected family leave each year, which can be used to care for a newborn or newly adopted child, and up to 36 weeks of unpaid medical leave for an employee's own health condition, which can include pregnancy disability and recovery from childbirth.

Arkansas – No guaranteed job protection or benefits for new parents. Arkansas state employees may request a maximum six-month unpaid leave of absence for parental and maternity leave.

Colorado – Full-time state employees are entitled to a maximum of 520 hours, or 13 weeks, of family and medical leave per fiscal year. Family and medical leave is granted to qualifying employees for the birth and care of a child within one year of birth, adoption, or foster care placement. This leave can also be used to care for the serious health condition of a spouse who is temporarily disabled due to pregnancy or recovery from childbirth

Connecticut - Connecticut employers with 75 or more employees must provide employees with 16 workweeks of leave during any 24-month period for birth, adoption or placement of a foster child. State law also provides this leave for one's own serious illness, including a maternity-related disability, and/or to care for a spouse temporarily disabled as a result of pregnancy or childbirth. Connecticut employers with three or more employees must grant employees a reasonable leave of absence for pregnancy-related disabilities.

Permanent state employees are entitled to 24 weeks of unpaid leave in any two-year period for the birth or adoption of a child. This leave is also available to employees to recover from their own serious illness, including maternity disability, and/or to care for a spouse with a serious illness, including pregnancy disability and recovery from childbirth. Connecticut state employers

with three or more workers must grant employees a reasonable leave of absence for pregnancy-related disabilities.

Delaware - Delaware has no laws guaranteeing job protection or benefits for new parents. Delaware state employees have no additional benefits beyond the federal FMLA.

Florida - Florida has no laws guaranteeing job protection or benefits for new parents. Florida state employees are entitled to a maximum of six months of unpaid parental or family leave to care for a newborn or newly adopted child, or to care for one's own or a spouse's pregnancy disability or recovery from childbirth.

Georgia - Georgia has no laws guaranteeing job protection or benefits for new parents. Georgia state employees have no additional benefits beyond the federal FMLA.

Idaho - Idaho has no laws guaranteeing job protection or benefits for new parents. All Idaho state employees are eligible for up to 12 weeks of job-protected family and/or medical leave.

Illinois - No guaranteed job protection or benefits for new parents. State employees who are members of the state employees' group insurance program may be eligible for family and medical leave benefits. Eligible female state employees who pre-certify their pregnancy within the first trimester are entitled to three workweeks (15 days) of paid maternity leave. Eligible male state employees who pre-certify their spouse's pregnancy within the first trimester are entitled to two workweeks (10 days) of paid paternity leave. Eligible state employees who can show that a formal adoption process is underway are entitled to two workweeks (10 days) of paid adoption leave, with the leave beginning when the employee receives physical custody of the child. Illinois state employees are entitled to one year of family leave to care for a newborn infant.

Indiana - No guaranteed job protection or benefits for new parents. Indiana state employees disabled by pregnancy, childbirth or related medical conditions are entitled to up to one year of job-protected leave.

Iowa - Iowa's Civil Rights Act of 1965 requires an employer with four or more employees to grant pregnant employees eight weeks of leave for pregnancy, childbirth or related medical

conditions. Iowa's Civil Rights Act of 1965 requires state employers with four or more workers to grant pregnant employees eight weeks of leave for pregnancy, childbirth or related medical conditions. State employees may request up to 12 months of unpaid leave. If this initial request is granted, employees can request an additional 12 months. The state appointing authority determines whether or not to award this leave.

Kansas - Kansas has no laws guaranteeing job protection or benefits for new parents. Kansas state employees may be granted unpaid leave, not to exceed one year, for illness or disability, including pregnancy, childbirth or related medical conditions. This leave also covers care for a family member with a serious health condition and care for a newborn, newly placed adopted or foster child. Probationary or conditional employees may also be granted leave without pay for up to 60 calendar days. The state appointing authority determines whether or not to award leave to an employee.

Kentucky - All employees who have recently adopted a child are entitled to six weeks of parental leave. Kentucky state employees are entitled to up to one year of parental leave

Louisiana - Louisiana guarantees up to four months of short-term disability leave to employees who are temporarily disabled because of pregnancy, childbirth or related medical conditions. Employers with more than 25 employees are covered by the law.

Louisiana guarantees up to four months of short-term disability leave to state employees who are temporarily disabled because of pregnancy, childbirth or related medical conditions. Employers with more than 25 employees are covered by the law.

Maine - Under *The Maine Maternity Leave Laws*, Employers with 15 or more employees must grant up to 10 weeks of family and medical leave in any two-year period for the birth of a child. Employers must grant the same benefit for adoption of a child under the age of 16 years, or for an employee's serious health condition, including pregnancy disability and recovery from childbirth. Under the Maine maternity leave laws, employees of the state government are entitled to up to one year of parental leave. State employers with 25 or more employees must grant up to 10 consecutive weeks of family and medical leave in any 2 year period, just as businesses do.

Maryland - A private employer who provides “leave with pay” to an employee following the birth of a child must provide the same “leave with pay” to an employee following the adoption of a child. Maryland state employees have no additional benefits beyond the federal FMLA.

Massachusetts - *The Massachusetts Maternity Leave Act* provides for up to eight weeks of unpaid maternity leave for a female employee who is giving birth to a baby or a female employee who is adopting a child. To be eligible for the MMLA's maternity leave rights the female employee:

- Must work for a company with six or more employees
- Has either completed an initial employment probation period, if any, or worked at least three consecutive months and is a full time employee.

Michigan - Michigan has no laws guaranteeing job protection or benefits for new parents. Michigan state employees are entitled to 26 weeks of unpaid job-protected parental leave.

Minnesota – *Minnesota’s Parental leave Act* provides employees who work for employers with 21 or more workers at any one site 6 weeks of unpaid leave with guarantee of job security during absence. Parental leave may be taken for childbirth or adoption of a child, but not for foster placement. Employees must have worked for their employer for at least 12 consecutive months immediately prior to requesting leave and worked at least half time in their current position.

Mississippi - Mississippi has no laws guaranteeing job protection or benefits for new parents. Mississippi state employees have no additional benefits beyond the federal FMLA.

Missouri - Missouri has no laws guaranteeing job protection or benefits for new parents. Missouri state employees have no additional benefits beyond the federal FMLA.

Montana - Montana’s At Home Infant Care (AHIC) program was established in 2003, following a successful pilot program. It gives benefits to lower income parents who provide full time care for children under age two. Funding for the program must come from a specific appropriation to the General Appropriations Act or by budget amendment if funds become available from federal or private sources. To date, the program remains unfunded. It is unlawful for any Montana employer with one or more employees to deny a female employee who is disabled as a result of

pregnancy “a reasonable leave of absence” for such pregnancy. Montana state employees are permitted to take a reasonable leave of absence, not to exceed 15 days, immediately following the birth or placement of a child.

Nebraska - Nebraska has no laws guaranteeing job protection or benefits for new parents. Nebraska state employees have no additional benefits beyond the federal FMLA.

Nevada - Nevada has no laws guaranteeing job protection or benefits for new parents. Nevada state employees have no additional benefits beyond the federal FMLA.

New Hampshire - Private employers with six or more employees must allow a female employee to take time off from work for disability resulting from pregnancy, childbirth or related medical conditions. New Hampshire state employees are entitled to up to six months of unpaid maternity leave

New Mexico - In the spring of 2004, New Mexico established an At Home Infant Care pilot program providing benefits to eligible lower income parents to care for their infants. New Mexico state employees have no additional benefits beyond the federal FMLA.

North Carolina - North Carolina has no laws guaranteeing job protection or benefits for new parents. North Carolina state employees have no additional benefits beyond the federal FMLA.

North Dakota - North Dakota has no laws guaranteeing job protection or benefits for new parents. North Dakota state employees can receive four months of unpaid parental leave during any 12-month period. The North Dakota State Employees Family Leave Law provides state employees with similar benefits and coverage to those available under the federal FMLA.

Ohio - Ohio has no laws guaranteeing job protection or benefits for new parents. Ohio state employees are entitled to six weeks of leave upon the birth or adoption of a child, including four weeks of benefits at 70 percent of the employee's regular rate of pay. These six weeks of parental leave count against the 12 weeks of leave provided by the FMLA. Ohio state employees are also entitled to six months of unpaid parental leave. Ohio state employees are eligible for benefits at 70 percent of the employee's regular rate of pay for up to six months, and 50 percent of pay for up to an additional 18 months. These benefits apply to complications

during pregnancy that require time off from work, and for six weeks after a vaginal birth or eight weeks after a Caesarean delivery if there are no additional complications.

Oklahoma - Oklahoma has no laws guaranteeing job protection or benefits for new parents.

Oklahoma state employees have no additional benefits beyond the federal FMLA

Oregon - Oregon Family Leave Act requires employers of 25 or more employees to provide their workers with job protected leave to care for themselves or family members in cases of illness, injury, childbirth and adoption. Employees are generally entitled to a maximum of 12 weeks of family leave within the employer's 12-month leave year. A woman using pregnancy disability leave is entitled to 12 additional weeks of leave in the same leave year for any qualifying OFLA purpose. A man or woman using a full 12 weeks of parental leave is entitled to take up to 12 additional weeks for the purpose of sick child leave. Workers are eligible for parental leave after being employed for 180 calendar days, without regard to the numbers of hours worked per week.

Pennsylvania - Pennsylvania has no laws guaranteeing job protection or benefits for new parents. Pennsylvania state employees who become parents through childbirth, formal adoption, or foster care placement may request up to six months of unpaid parental leave. The agency head determines whether or not to award leave to an employee.

South Carolina – South Carolina's Human Affairs law prohibits employers with 15 or more employees from terminating an employee who takes leave for a pregnancy disability or to recover from childbirth. South Carolina's Human Affairs law prohibits state employers with 15 or more employees from terminating an employee who takes leave for a pregnancy disability or to recover from childbirth.

South Dakota - South Dakota has no laws guaranteeing job protection or benefits for new parents. South Dakota state employees have no additional benefits beyond the federal FMLA.

Tennessee - In Tennessee, employers with 100 or more workers must provide female employees with four months of maternity leave for pregnancy, childbirth and nursing an infant if they have worked full-time for the company for at least 12 consecutive months. Female state employees are entitled to up to four months of job-protected leave for pregnancy, childbirth and

nursing if they have worked full-time for at least 12 consecutive months. This four-month leave period includes leave required before and after the birth of a child. Female state employees who have worked for less than one year are entitled to up to 30 days of unpaid job-protected maternity leave following the birth of a child.

Texas - Texas has no laws guaranteeing job protection or benefits for new parents.

Texas state employees are entitled to up to 12 weeks of parental leave for the birth of a child or for the adoption or foster care placement of a child younger than three.

Utah - Utah has no laws guaranteeing job protection or benefits for new parents. Utah state employees may be granted up to 12 months of unpaid medical leave, including leave for pregnancy disability and recovery from childbirth, if a registered health practitioner certifies that the employee is temporarily disabled.

Vermont - *Vermont's Parental Leave Law* covers employers with 10 or more employees who work an average of 30 hours per week over the course of a year.

Vermont's Family Leave Law, which includes Short-Term Family Leave, covers employers with 15 or more employees who work an average of 30 hours per week over the course of a year. An employee who has worked for a covered employer for an average of 30 hours a week for a year is entitled to leave under these laws. During any 12 month period, the employee is entitled to up to 12 weeks of unpaid leave.

Virginia - Virginia has no laws guaranteeing job protection or benefits for new parents.

Virginia state employees have no additional benefits beyond the federal FMLA.

Washington - Employees who have any type of accrued paid leave can use it to care for a newborn or newly adopted child as well as a seriously ill family member, including a spouse with a pregnancy related disability or who is recovering from childbirth. Washington's law covers all employees regardless of employer size.

Employees in Washington are entitled to job protection for the period of disability due to pregnancy and childbirth. This law covers employers with eight or more employees.¹¹⁰

Employees in Washington are entitled to job-protected leave for sickness and temporary disability as a result of pregnancy or childbirth in addition to 12 weeks of family leave to care for a new child. The law covers employers with more than 100 workers, and employees who work a minimum of 35 hours a week.

Washington state employees are entitled to job-protected leave for sickness and temporary disability as a result of pregnancy or childbirth in addition to 12 weeks of federal family leave. The law covers employers with more than 100 employees and employees who work a minimum of 35 hours a week. Washington state employees are entitled to six months of unpaid parental leave to care for a newborn, newly adopted child or newly placed foster child if they have worked for the state for 12 months and for at least 1250 hours.

West Virginia - West Virginia has no laws guaranteeing job protection or benefits for new parents. West Virginia state employees have no additional benefits beyond the federal FMLA.

Wisconsin - Employees who have any type of accrued paid leave can use it to care for a newborn or newly adopted child as well as a seriously ill family member, including a spouse with a pregnancy related disability or who is recovering from childbirth. The law covers employers with 50 or more workers. Wisconsin state employees are entitled to six months of unpaid parental leave.

Wyoming - Wyoming has no laws guaranteeing job protection or benefits for new parents. Wyoming state employees have no additional benefits beyond the federal FMLA.

The District of Columbia - *The District of Columbia Parental Leave Act of 1994*, requires all employers located in the District of Columbia to provide an eligible employee with up to 24 hours of leave during a 12 month period for the following purposes: to attend or participate in a school-related event for his or her child in which the child is a participant or a subject.

The Act applies to all employees who are parents. The term "parent" means any of the following: (1) the biological parents of a child; (2) a person who has legal custody of a child; (3) a person who acts as a guardian of a child regardless of whether he or she had been appointed legally; (4) an aunt, uncle, or grandparent of a child; or (5) the spouse of any of the foregoing persons.

Conclusion

As one can see maternity leave benefits vary *greatly* depending on the state in which a woman lives, whether or not she works for the federal, state or local government and whether or not she works for a large or a small company.

The best advice we can offer women is to plan. If you know that you would like to have children someday, go ahead and speak with your employee benefits coordinator or human resources manager and see what maternity benefits your company offers. If your state or company doesn't offer any sort of maternity benefit, see what types of supplemental insurances or short term disability insurance you may be able to acquire on your own. But don't wait. Most policies, whether through your employer or individual personal policies, have an enrollment period (typically anywhere from 90 days to 12 months) during which you are not eligible to draw the benefit. If you are reading this document and are already pregnant, you may want to consider enrolling in a program anyway so that if you become pregnant again in the future, that pregnancy will be covered and you'll be eligible for benefits.

Maternity benefits are tricky in the United States. Hopefully one day we will join the rest of the world and offer women across the country paid maternity leave. But until then, ***Mamas on Bedrest & Beyond*** will do its best to keep women informed about options they have for funding their pregnancies and maternity leaves.

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