

Media Kit

Young v. United Parcel Service, Inc. (UPS)

Contents

Case Summary: <i>Young v. UPS</i>	1
Recent Polling.....	2
Briefs of Petitioner and Respondent	2
Briefs of <i>Amici Curiae</i>	3

HI-RES PHOTOS: A dropbox with downloadable photos of Peggy Young is available here:
https://www.dropbox.com/sh/y745ai1xdry08ad/AAB8ILZ5yzB_UuigWQpBFfWsa?lst=

Case Summary: *Young v. UPS*

Supreme Court Oral Argument Set for Wednesday, December 3, 2014.

Who is this case about?

Peggy Young is a former United Parcel Service worker who was forced onto unpaid leave (thereby also losing her health care benefits) after informing her employer that her medical provider had instructed her to avoid lifting more than 20 pounds while pregnant. Ms. Young told UPS she was willing to assume “light duty” or continue her regular duties because she rarely had to lift anything heavy. But UPS refused to allow her to do either. In fact, the most senior manager at her workplace told her that she was “too much of a liability” and must go home until she was “no longer pregnant.”

What is UPS’s policy regarding “light duty”?

When Ms. Young worked for UPS, the company provided light duty assignments to people with disabilities, people with on-the-job injuries, and even people who had lost their commercial driver’s licenses as the result of DUI convictions – but they denied Peggy Young the ability to continue working.

UPS has since extended its policy of light duty assignments to include pregnant workers who need accommodations. The new policy will go into effect on January 1, 2015, but UPS continues to argue that employers have no legal obligation to provide accommodations to pregnant workers. Thus, it could decide to change its policy at any time. This is why it is so important for the Supreme Court to act.

What is the question in this case?

The Supreme Court will look at whether UPS violated the Pregnancy Discrimination Act by forcing Ms. Young to take unpaid leave rather than offering her the same work accommodations made available to non-pregnant employees with similar physical limitations.

Why is this case important?

This is one of the most important Supreme Court cases for women of our time. How the Court rules will impact working women across America, who shouldn't have to worry that they could be forced off the job if they get pregnant, and lose their paycheck and health care benefits at the very moment their children and families need them most.

UPS's treatment of Ms. Young was wrong, and forced her to make an unnecessary choice between her pregnancy and her continued employment. Employers should support a woman's choice to have a child; they shouldn't be able to deny pregnant women the same kind of reasonable workplace accommodations offered to others.

Today's families cannot afford for women to be forced out of work during pregnancy. Mothers' earnings are crucial to most families' financial security and wellbeing. A recent [Center for American Progress study showed](#) that women are the primary breadwinners in 41 percent of families with children. When a pregnant woman is forced off the job and loses her paycheck or health care benefits, her entire family suffers.

[Department of Labor studies](#) also show that our economy benefits when women are able to keep working, continue supporting their families, and stay financially independent. Workplace policies that make reasonable accommodations for people with physical limitations have been shown to improve recruitment and retention, increase employee satisfaction and productivity, reduce absenteeism and improve workplace safety.

What is the Pregnancy Discrimination Act?

The Pregnancy Discrimination Act of 1978 (PDA) outlawed pregnancy discrimination, and Congress made it clear when it passed the Act that sex discrimination includes discrimination based on pregnancy, childbirth or related medical conditions, and that workers must be treated equally based on their ability or inability to work.

What is the Pregnant Workers Fairness Act?

Advocates and lawmakers are working to make it unmistakable that workers with pregnancy-related limitations are entitled to reasonable accommodations that allow them to stay on the job while caring for their own health and safety and that of their pregnancies. The Pregnant Workers Fairness Act, which follows the American with Disabilities Act model, would do just that.

Recent Polling

Recent polling has found that an overwhelming majority of Americans – 79 percent – believe that the Supreme Court should side with Peggy Young in this case. The poll – [conducted by The Feldman Group and commissioned by the Center for American Progress](#) – finds strong majority support for Ms. Young across age, race, gender, and geographic region, with all groups expressing support for Ms. Young at a rate of 73 percent or higher. Moreover, support for Ms. Young crosses political lines, with 88 percent of Democrats, 75 percent of Republicans, 83 percent of pro-choice advocates, and 73 percent of pro-life advocates all expressing support for Ms. Young.

Briefs of Petitioner and Respondent

Brief of petitioner, Peggy Young:

http://www.americanbar.org/content/dam/aba/publications/supreme_court_preview/BriefsV4/12-1226_pet.authcheckdam.pdf

Brief of respondent, United Parcel Service, Inc.:

http://www.americanbar.org/content/dam/aba/publications/supreme_court_preview/BriefsV4/12-1226_resp.authcheckdam.pdf

Briefs of Amici Curiae

Below is a list of supporters who have joined amicus briefs in support of Peggy Young. Copies of amicus briefs can be found here: <http://www.scotusblog.com/case-files/cases/young-v-united-parcel-service/>.

- A Better Balance
- American Civil Liberties Union
- American College of Nurse-Midwives
- American College of Osteopathic Obstetricians & Gynecologists
- American Federation of State, County and Municipal Employees (AFL-CIO)
- American Federation of Teachers
- American Medical Women's Association
- American Nurses Association
- American Public Health Association
- Americans United for Life
- Black Women's Health Imperative
- Democrats for Life
- Greater New York Chamber of Commerce
- Law Professors
- Leadership Conference on Civil and Human Rights
- Legal Momentum
- Maurice and Jane Sugar Law Center for Economic and Social Justice
- Members of Congress (123 members)
- National Advocates for Pregnant Women
- National Association of Evangelicals
- National Association of Nurse Practitioners in Women's Health
- National Education Association
- National Partnership for Women & Families
- National Physicians Alliance
- National Women's Law Center
- Physicians for Reproductive Health
- Planned Parenthood Federation of America
- Service Employees International Union (SEIU)
- Society for Maternal-Fetal Medicine
- State and local lawmakers

- U.S. Women's Chamber of Commerce
- United Food and Commercial Workers International Union (AFL-CIO)
- Women's Law Project