



## PILOTS REACH SETTLEMENT WITH FRONTIER AIRLINES OVER LACTATION AND PREGNANCY POLICIES

12.04.2023

**D**enver—Five pilots have reached a settlement with Frontier Airlines resolving EEOC charges filed in May 2018 and a lawsuit filed in December 2019 alleging that the company discriminates against pregnant and lactating employees. As part of the settlement, which does not admit any liability, Frontier Airlines has agreed to several policy changes that will better address the needs of pregnant and lactating pilots.

Marking a critical step forward for gender equity in the airline industry, Frontier Airlines will be one of the first airlines to permit pilots to pump breastmilk in the cockpit during noncritical phases of the flight, enabling lactating pilots to continue working while maintaining the highest safety standards.

Additionally, Frontier Airlines agreed to update and clarify its policies relating to pregnancy and lactation accommodations to:

- Comply with the existing union agreement that permits pregnant pilots to fly with a medical certification;
- Clarify that it accommodates pilots unable to fly due to pregnancy or lactation on the same terms applied to pilots with other medical conditions rendering them unable to fly (including by providing medical leave or temporary ground assignments, if such assignments are offered by Frontier);
- Continue to permit pilots who are breastfeeding to drop to 50 hours of flight time per month; and
- Maintain a list of airport lactation facilities, updated every 6 months, published on an internal website.

“Many companies purport to be family-friendly but fail to provide any support to employees who are pregnant or lactating. We’re so proud we could come to an agreement that will benefit pregnant and lactating workers now and into the future,” said Aditi Fruitwala, Staff Attorney for the ACLU’s Center for Liberty. “This settlement should serve as a strong message to employers – especially airline employers – that reasonable accommodations such as those agreed to by Frontier are good for workers, good for families, good for business, and required by the law. We’re hopeful this will inspire more change and stronger protections for workers across the airline industry.”

“We are proud to be at the forefront of accommodating the needs of pregnant and breast-feeding mothers in the airline industry,” said Jacalyn Peter, Vice President, Labor Relations, Frontier Airlines. “Thanks in part to advances in wearable lactation technology, the parties were able to reach an amicable resolution of this case that also maintains our commitment to the highest safety standards.”

“Today’s settlement accomplishes a vital goal: ensuring that expectant and new mothers are treated with the fairness and respect they deserve,” said Jayme Jonat, partner at Holwell Shuster & Goldberg LLP and a member of the litigation team representing the pilots. “We are proud to have played a role in accomplishing that goal and participating in this groundbreaking litigation, which we hope will influence employer behavior throughout the airline industry and beyond.”

“Colorado law offers even stronger protections than federal law for pregnant and lactating workers in our state. The ACLU of Colorado is proud this settlement will lead to Frontier providing necessary accommodations to pregnant and breastfeeding workers and putting families first,” said Sara Neel, Managing Attorney for the ACLU of Colorado.

“Our clients took a huge risk by taking their claims public. After years of litigation, they’ve helped effect a genuine change for themselves and future Frontier pilots, making the workplace better for working parents,” said Juno Turner, Litigation Director at Towards Justice.

The lawsuit was filed by the ACLU, the ACLU of Colorado, Holwell Shuster & Goldberg LLP, and Towards Justice.

Frontier Airlines was represented by Littler Mendelson, P.C.

## **ATTORNEYS**

Richard T. Apiscopa

Charlotte Baigent

Christopher Brock

Luciane de Andrade

Jonathan Jacoby

Jayme Jonat

Manjit Kalirao

Andrew Kaspersen

Paul Kemnitzer

Vincent Levy

Adán Martínez

Geoffrey McFarlane

Elton Muci

Daniel K. Phillips

Karen A. Sebaski

Sherrick Watson