



## PREGNANCY DISCRIMINATION CLASS ACTION AGAINST FRONTIER AIRLINES SURVIVES MOTION TO DISMISS

07.19.2021

**N**ew York—A federal court has denied Frontier Airlines’ request to dismiss a lawsuit filed by four flight attendants who allege the company discriminates against pregnant and breastfeeding employees. The court’s ruling allows the class action lawsuit, which is a companion to a related case filed by four Frontier pilots, to move forward. The lawsuits are the first of their kind to be filed against the airline industry.

“This decision is an important step towards supporting working mothers in the airline industry on their paths to career success,” said Jayme Jonat, partner at Holwell Shuster & Goldberg LLP and a member of the litigation team that brought the lawsuits. “We’re glad the court recognized that Frontier’s failure to provide accommodations for pregnant and breastfeeding flight attendants is a concrete injury which continues to affect each plaintiff as they work for Frontier and live under a real specter of discrimination.”

The plaintiffs allege that they have lost income and benefits as a result of being forced onto unpaid leave, in addition to suffering other injuries. Several who have attempted to breastfeed without accommodations have experienced pain, leaking and swollen breasts, infections, and other serious health issues, while others felt they had no choice but to give up breastfeeding altogether.

In denying the motion to dismiss the case, the U.S. District Court for the District of Colorado recognized that these were the kind of harms that entitled the plaintiffs to bring a lawsuit, and further, that Frontier’s conduct as described in the case could violate state and federal antidiscrimination laws, the Family and Medical Leave Act, and a Colorado law that requires employers to provide accommodations for pumping.

HSG filed the lawsuits with the American Civil Liberties Union, the ACLU of Colorado, and Towards Justice. Additional HSG lawyers representing the plaintiffs include partner Vincent Levy, counsel Karen Sebaski, associates Nina Kanovitch Schiffer, Prishika Raj, Adán Martínez, and Daniel Phillips, and staff attorneys Manjit Kalirao and Ashley McConnell.

For additional information about the case, read the ACLU’s release [here](#), and the decision [here](#).

### ATTORNEYS

Jayme Jonat

Manjit Kalirao

Vincent Levy

Adán Martínez

Daniel K. Phillips

Prishika Raj

Karen A. Sebaski