

Demand Healthcare Fairness for New York’s Finest!

The Patrolmen’s Benevolent Association (PBA) and Detectives’ Endowment Association (DEA) offer prescription health insurance plans that don’t cover prescription contraceptives (birth control) but provide otherwise comprehensive prescription drug plans. The Sergeants Benevolent Association (SBA), Lieutenants Benevolent Association (LBA), and Captains Endowment Association (CEA), however, provide their members with prescription birth control coverage. Female PBA and DEA members—as well as male PBA and DEA members who, with their wives, rely on these family planning methods—must therefore pay the full cost. Members of the other unions don’t. That’s unfair. And when it comes to sex discrimination, it’s also against the law.

FACT: Birth control is an important and routine part of women’s health.

- The overwhelming majority of sexually active women between the ages of 15-44 who don’t want to become pregnant use some form of prescription birth control. Contraceptives are the most widely used prescription drug for women of reproductive age.
- Contraceptive use reduces unintended pregnancies. In the U.S., almost 50% of pregnancies are unintended.

FACT: Birth control benefits both men and women, but women pay.

- Women between the ages of 15-44 spend approximately 70% more than men on out-of-pocket health care costs, largely on reproductive health care services, including birth control.
- Women are the sole users of prescription birth control. And only women potentially experience health-related consequences if they can’t afford to buy this medication.

FACT: The PBA’s and DEA’s policies on employee RX coverage are not consistent or fair.

- The City provides health benefits to NYPD officers but does not provide prescription drug coverage. Instead, the City provides money to

unions to use at their discretion to provide services to union members. All of the unions use all or part of this money to provide their members with prescription drug coverage. Three unions provide comprehensive prescription drug coverage. The other two unions, however, specifically exclude birth control from plans that cover virtually all other prescription drugs.

Unions that provide contraceptive coverage	Unions that DO NOT provide full prescription contraception coverage, but provide otherwise comprehensive prescription drug coverage
Captains Endowment Association (CEA)	Patrolmen’s Benevolent Association (PBA)
Lieutenants Benevolent Association (LBA)	Detectives’ Endowment Association, Inc. (DEA)
Sergeants Benevolent Association (SBA)	

- Hardworking PBA and DEA members or their spouses can spend more than \$50 per month for these medications. SBA, LBA, and CEA, on the other hand, can fill their prescriptions with an inexpensive co-pay.

FACT: The City of New York and NYPD policies violate federal and state laws.

The City and the PBA and DEA are violating federal and state laws because the union prescription drug plans, paid for with money provided by the City, fail to cover oral contraception, but provide otherwise comprehensive prescription drug coverage.

- Federal law—Title VII of the Civil Rights Act of 1964—prohibits carving out coverage for birth control from otherwise comprehensive employee prescription drug coverage plans.

- Title VII's prohibition against sex discrimination applies to discrimination based on "pregnancy, childbirth, or related medical conditions."
- Title VII prohibits sex discrimination in the workplace, by making it unlawful for an employer "to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's . . . sex."
- Title VII's prohibition against sex discrimination applies to discrimination based on "pregnancy, childbirth, or related medical conditions."
- The federal Equal Employment and Opportunity Commission ruled that Title VII requires insurance coverage of prescription contraception in otherwise comprehensive health plans.
- New York State and New York City laws also prohibit sex discrimination in the terms, conditions, and privileges of employment.
 - New York State's Human Rights Law makes it an "unlawful discriminatory practice . . . [f]or an employer . . . because of an individual's . . . sex . . . to discriminate against such individual in compensation or in terms, conditions or privileges of employment."
 - The New York City Human Rights Law similarly provides that is an "unlawful discriminatory practice . . . [f]or an employer . . . because of the . . . gender . . . of any person . . . to discriminate against such person in compensation or in terms, conditions or privileges of employment."

This factsheet was produced by the Center for Reproductive Rights, a global legal rights organization that uses the law to advance reproductive freedom as a fundamental human right. We work to expand access to reproductive healthcare, including birth control, prenatal and obstetric care, and unbiased information.

Think the PBA and DEA should play fair when it comes to supporting New York's Finest? The Center for Reproductive Rights wants to help. Talk to us confidentially. Contact us at **NYPDhealthcarefairness@reprorights.org** or at **917.637.3664**.