

NOTICE

Pregnancy Accommodations at Work

The NYC Human Rights Law requires all employers with four or more employees, or one or more domestic worker, to provide reasonable accommodations to employees related to pregnancy, childbirth, and related medical conditions to enable them to continue working and/or return to work promptly while maintaining a healthy pregnancy. Employers are required to provide written notice of employees' rights under the Law, and can use this document to satisfy that requirement. As such, it should be posted in the workplace.

EMPLOYERS

Provide a clear policy and protocol for employees to request a reasonable accommodation. Work with your pregnant employee to promptly agree on a reasonable accommodation that:

- Values your employee's contributions to the workplace.
- Helps your employee satisfy the essential requisites of her job.
- Keeps them in the workplace for as long as they are able to continue working.
- Is right for your employee and does not cause undue hardship to your business.

Employers must have a lactation policy that is posted at the workplace, provided to employees at the start of their employment, and on the intranet if one exists. A model policy is available here:



Ignoring a request for a reasonable accommodation, failing to respond quickly, punishing, or firing your employee after they request one can expose you to damages and civil penalties. Employers are prohibited from asking for proof of pregnancy. Employers may request a doctor's note only when the accommodations requested by the employee involve time away from the workplace and when not otherwise prohibited by city, state, or federal law, including the NYC Earned Safe and Sick Time Act.

NYC.gov/HumanRights or call 212-416-0197

f X @NYCCHR

EMPLOYEES

If you need a reasonable accommodation to continue working or remain employed, you can request one. Examples include, but are not limited to:

- Breaks (e.g. to use the bathroom, eat or drink, or provide necessary rest).
- Changes to your work environment such as a seat or a fan.
- Assistance with physically demanding tasks.
- Time off or schedule adjustments.
- A private, clean, non-bathroom space and at least 30 minutes of paid breaks for expressing breast milk and use of other existing paid break/meal time for beyond the 30 minutes..
- Light duty or a temporary transfer to a different position.
- Time off to recover from childbirth.

The type of reasonable accommodation appropriate for an employee should be tailored to the needs of the employee and the employer. If your request for a reasonable accommodation has been ignored or denied without an appropriate alternative, we can help. Call the NYC Commission on Human Rights at 212-416-0197 to report it.

NYC Commission on
Human Rights