



# PREGNANT WORKERS FAIRNESS ACT (PWFA)

## WHAT IS PWFA?

The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 27, 2023, requires covered employers to provide “reasonable accommodations” to a qualified worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.” An undue hardship is defined as causing significant difficulty or expense.

**“Reasonable accommodations”** are changes to the work environment or the way things are usually done at work.

## WHAT ARE SOME POSSIBLE ACCOMMODATIONS FOR PREGNANT WORKERS?

- Being able to sit or drink water
- Receiving closer parking
- Having flexible hours
- Receiving appropriately sized uniforms and safety apparel
- Receiving additional break time to use the bathroom, eat, and rest
- Taking leave or time off to recover from childbirth
- Being excused from strenuous activities and/or exposure to chemicals not safe for pregnancy



## WHAT OTHER FEDERAL EMPLOYMENT LAWS MAY APPLY TO PREGNANT WORKERS?

Other laws that apply to workers affected by pregnancy, childbirth, or related medical conditions, include:

- Title VII which prohibits employment discrimination based on sex, pregnancy, or other protected categories (enforced by the U.S. Equal Employment Opportunity Commission (EEOC))
- The ADA which prohibits employment discrimination based on disability (enforced by the EEOC)
- The Family and Medical Leave Act which provides unpaid leave for certain workers for pregnancy and to bond with a new child (enforced by the U.S. Department of Labor)
- The PUMP Act which provides nursing mothers a time and private place to pump at work (enforced by the U.S. Department of Labor)



# THE PREGNANT WORKERS FAIRNESS ACT (PWFA)

Prepare for this new law before it goes into effect on June 27, 2023.

## WHAT IS IT?

The PWFA requires covered employers to provide "reasonable accommodations" to a worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship."



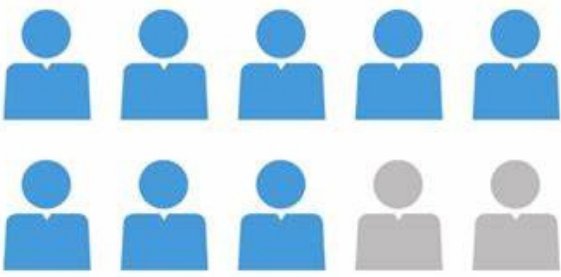
# 72%



of working women will become pregnant while employed at some time in their lives.

*SOURCE: US Census Bureau, Maternity Leave and Employment Patterns: 1961-2008, 2011*

## 8 IN 10



first-time pregnant women work until their final month of pregnancy.

*SOURCE: U.S. Congress, Pregnant Workers Fairness Act, 2021, www.congress.gov/117/crpt/hrpt27/CRPT-117hrpt27.pdf*

# 23%

of moms have thought about leaving a job due to a lack of reasonable accommodation or fear of discrimination from an employer during pregnancy, according to one survey.

*SOURCE: Bipartisan Policy Center: Morning Consult Poll, February 11, 2022*

## TIP FOR EMPLOYERS:

Train supervisors about the PWFA so they are ready when they get reasonable accommodation requests.

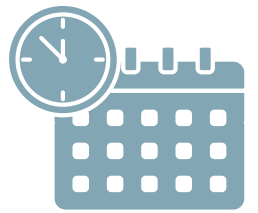
Contact the 8A EEO Office:  
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## Examples of reasonable accommodations that may be available to workers:

- Offering additional, longer, or more flexible breaks to eat, drink, rest, or use the restroom
- Changing a work schedule, such as having shorter hours, part-time work, or a later start time



- Changing food or drink policies to allow a worker to have a water bottle or food



- Providing leave for medical appointments or to recover from childbirth



# TIPS FOR ASKING FOR A REASONABLE ACCOMMODATION

IF YOUR PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITION MAKES IT HARDER FOR YOU TO PERFORM YOUR JOB, YOU CAN ASK FOR A CHANGE CALLED A REASONABLE ACCOMMODATION:

**1 TALK** to your employer. Your manager, human resources, or person designated in the company policy is a good place to start.

*Covered employers must provide a reasonable accommodation unless it will cause them an undue hardship.*

**2 EXPLAIN** that because of a physical or mental condition related to your pregnancy, childbirth, or related medical condition, you need a change.



**3 SHARE** with your employer what barriers you are facing. Give ideas, if you have them, for what could help you do your job.

*For example, you may need to do your job differently, a piece of equipment, additional breaks, leave, or a different schedule.*

**4 IF YOUR EMPLOYER SAYS "NO"**

**PROVIDE** information. Tell your employer about the EEOC's webpage: [What You Should Know About the Pregnant Workers Fairness Act](#).



Contact the Eighth Army Equal Employment Opportunity for information.

**Eighth Army EEO Office:**

Phone: 315-755-0320 / 0321 / 0322

Group Email: [usarmy.humphreys.8-army.mbx.8-army-eeo@army.mil](mailto:usarmy.humphreys.8-army.mbx.8-army-eeo@army.mil)

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