



unum®

The Pregnant Workers Fairness Act (PWFA)

The final regulations are live —
here's what employers need to know

Angel Bennett

Introductions



Angel Bennett

AVP, Leave and ADA Solutions

Unum

PWFA: The basics



Date in effect
June 18



What it requires
Employers must provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause an undue hardship



Employers covered
Public and private with 15 or more employees



Employees covered
Employees with pregnancy and childbirth-related limitations — no tenure requirement



No magic words
Employees don't need to use specific language when requesting accommodations



Conditions covered
Goes beyond pregnancy to include a wide variety of pregnancy and childbirth-related conditions (e.g., fertility treatments, gestational diabetes, postpartum depression, lactation needs)



Examples of potential accommodations

- **Breaks**
Offering additional, longer or more flexible **breaks** to eat, drink, rest or use the restroom
- **Work schedule**
Allowing shorter hours, part-time work, work from home or a later start time
- **Leave**
Providing time off to attend medical appointments or to recover from childbirth
- **Food/drink policies**
Allowing a worker to have a water bottle or food at workstation
- **Seating options**
Providing a stool or chair so employee can sit or rest
- **Modified job duties**
Reducing/restricting strenuous activity or exposure to unsafe conditions
- **Clothing and gear**
Providing appropriately sized uniforms and safety apparel
- **Lactation space**
Offering a private space other than a bathroom for lactation needs

PWFA and ADA

Under the PWFA:

- Employers must accommodate pregnancy, childbirth or related medical conditions, **whether or not these rise to the level of a disability** under the Americans with Disabilities Act (ADA)
- Employers must accommodate covered employees **even if they cannot perform the essential functions of the job**, so long as this inability is temporary



Questions?