



Policy # 2023001

Date in Effect: 6/27/23

Latest Revision: N/A

Reasonable Accommodations for Pregnant Workers Policy

Purpose

As required by the federal Pregnant Workers Fairness Act (**PWFA**) and the Providing Urgent Maternal Protections for Nursing Mothers Act (**PUMP Act**), the City of Findlay "City" will provide reasonable accommodations to employees with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause undue hardship to the City's operations. The City will also provide appropriate accommodations for lactating employees to express milk.

Definitions

The PUMP Act – The PUMP for Nursing Mothers Act requires employers to provide: (1) Reasonable break time for an employee to express milk for their nursing child (2) A place to pump at work, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public. **These accommodations must be available for one year after the child's birth and can be taken, within reason, each time an employee needs it.**

The Pregnant Worker's Fairness Act - Requires covered employers to provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, or related medical conditions.

Policy

Under the PUMP Act, the Fair Labor Standards Act (FLSA) is expanded to require employers to provide additional workplace protections for lactating employees. The City will provide employees who are nursing with reasonable time and private space, other than a bathroom, to express breast milk. The following provisions will apply to the private space:

- Will be shielded from view and free from intrusion of others;
- Will have at least one electrical outlet;
- Will have a surface, such as a table or counter for breast pump to be placed on;
- Will have a chair for employee to sit in;
- Will have a refrigerator in which expressed milk can be placed.

Under the PWFA an employee may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to human resources (HR). The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the



accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, HR will contact the employee to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel according to the departmental requirements
- Receive additional break time to use the bathroom, eat and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the City will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

The City prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

Submitted by Human Resources Director: 

Approved by Service-Safety Director: _____

Approved by Mayor: 