Dear \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

*[Name of Employer/Owner]*

I write to share information with you about a new federal law, called the Pregnant Workers Fairness Act, that went into effect on June 27, 2023. Under this law, employers must:

* **Provide reasonable accommodations** for a worker’s limitations related to pregnancy (such as nausea, fatigue, dehydration, etc.), childbirth (such as recovery from childbirth), or pregnancy-related medical conditions (such as lactation, mastitis, loss of pregnancy, postpartum depression, etc.).  Examples of reasonable accommodations include but are not limited to:
  + Light duty, or help with manual labor and lifting
  + Temporary transfer to a less physically demanding or less hazardous position
  + Additional, longer, or more flexible breaks to drink water, eat, rest, or use the bathroom
  + Changing food or drink policies to allow a worker to have a water bottle or food
  + Changing equipment, devices, or workstation, such as providing a stool to sit on, installing a fan, or adding a lock to a clean meeting room to turn it into a temporary lactation space
  + Making existing facilities easier to use, such as relocating a workstation closer to the bathroom
  + Changing a uniform or dress code, like allowing maternity pants
  + Changing a work schedule, like having shorter work hours or a later start time to accommodate morning sickness
  + Breaks, private space (not a bathroom), and other accommodations for lactation
  + Time off for prenatal or postnatal appointments
  + Leave to recover from childbirth, mastitis, pre- or postnatal depression, and more
* **Engage in a timely, good-faith interactive discussion** (the “interactive process”) with a worker to identify accommodations that can meet the worker’s needs; employers must consider all requests but are not required to accommodate those that would pose an undue hardship–a significant difficulty or expense.
* **NOT retaliate against a worker** for needing, requesting, or using a reasonable accommodation, including forcing a worker to accept an accommodation the worker does not want or need, or forcing a worker to take leave

More information about the Pregnant Workers Fairness Act is available from the United States Equal Employment Opportunity Commission at [https://www.eeoc.gov/wysk/what-you-should- know-about-pregnant-workers-fairness-act](https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act). You may have additional obligations to your pregnant and postpartum workers under other federal, state, or local laws.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[Your Name]*

*Note this letter does not represent legal advice nor does using it create an attorney/client relationship with A Better Balance. The Pregnant Workers Fairness Act (PWFA) is a complex law and submitting the above request does not guarantee its protections. For further questions about the PWFA and related federal, state, and local laws, please call our free and confidential legal helpline at 1-833-NEED-ABB.*