



HR AFFILIATES

HR UPDATES

The federal [Pregnant Workers Fairness Act \(PWFA\)](#) goes into effect on June 27, so now is the perfect time to review your handbooks and ensure your front-line supervisors are fully trained on this new law. Do you have 15 or more employees now or potentially in the near future? If so, the time to act is now and we can help!

Under the PWFA, “pregnancy” is now to be treated the same as a “disability” under the federal Americans with Disabilities Act (ADA). This means that pregnant employees are entitled to reasonable accommodations, which could take a number of forms beyond what most employers refer to as “maternity leave.” “Pregnancy” should be listed as its own protected class in your “Equal Employment Opportunity” statement; the right to request accommodation for pregnancy-related conditions (either before or after the birth of the child) should be made clear; and policies must state that “employees will not be subject to retaliation for requesting accommodations due to pregnancy.” The EEOC has published a FAQ on its website at

<https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act>.

On a related topic, do not forget that the PUMP for Nursing Mothers Act became effective in December 2022 and entitles workplace lactation breaks for a period of one year after the birth of the child. This law extends to both hourly and salaried employees. For hourly employees, the law requires them to be paid for the lactation break if it is shorter than 20 minutes or the employee continues to work during the break. If you have a question about lactation breaks, let us know! The Department of Labor has also published this Fact Sheet available on the website at <https://www.dol.gov/agencies/whd/fact-sheets/73-flsa-break-time-nursing-mothers>.

We look forward to working with you to address all your questions and concerns about the PWFA and PUMP Act!