

The PWFA and The PUMP Act



The Pregnant Workers Fairness Act (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.

The document provides examples of possible reasonable accommodations, including:

- Job restructuring.
- Part-time or modified work schedules.
- More-frequent breaks.
- Unpaid leave, including attending health care-related appointments and to recover from childbirth.
- Assignment to light duty.
- Telework.
- **Note: Saint Joseph's College cannot require an employee to take leave in lieu of providing another reasonable accommodation.**

The Providing Urgent Maternal Protections (PUMP) Act requires employers to provide a reasonable break each time a nursing employee has a need to express milk for one year after the child's birth. There is no maximum number of breaks, so nursing employees are entitled to take as many as needed that day. The frequency, duration and timing of breaks aren't the same for each person. They can vary based on factors unique to each employee and child.

IMPORTANT: A request for an accommodation can be a statement in "plain English" that an individual needs an adjustment or change in the application process or at work for a reason related to a medical condition. The request does not have to include the terms "ADA" or "reasonable accommodation," and the request does not have to be in writing. **If you hear of or receive such a request, please notify the individual that you will be contacting Human Resources immediately for follow-up (207-893-7757, humanresources@sjcme.edu).** (This applies to all disability accommodations [including accommodations for pregnancy, childbirth or related medical conditions] or religious accommodation requests.)

With limited exceptions, you must keep confidential any medical information you learn about an applicant or employee. Information can be confidential even if it contains no medical diagnosis or treatment course and even if it is not generated by a healthcare professional.

Please review the two PWFA information sheets and the *Pump at Work Protections under the Fair Labor Standards Act* PowerPoint in this section. Contact Human Resources with any questions.