

If you are working while pregnant, or recovering from childbirth, **there is a new law in New York City that makes sure you don't have to risk your health to stay at your job...**

The New York City Pregnant Workers Fairness Act, which is part of the New York City Human Rights Law, went into effect on January 30, 2014. Read on to find out how the Pregnant Workers Fairness Act can help you keep your job—and stay healthy at work.



## Need Help?

Have you experienced problems at work because you are:

- Pregnant?
- Recovering from childbirth?
- Breastfeeding?

Call our **Families @ Work Legal Clinic Hotline at 212.430.5982** to speak with an attorney about your rights concerning pregnancy and family care.

Follow A Better Balance and help improve workplace fairness for women and families:

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## Know Your Rights: The New York City Pregnant Workers Fairness Act

*Working while pregnant? Recovering from childbirth? You don't have to choose between your job and your health.*



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## 1 | What does the Pregnant Workers Fairness Act (PWFA) do?

The PWFA protects pregnant employees and new mothers in New York City against discrimination. According to this important new law, employers have to allow their pregnant employees to **make changes to their work duties or schedule** in order to stay healthy. These changes are called “reasonable accommodations.”

### Here are some examples of accommodations that you might need at work:

- Light duty, help with lifting, or a temporary transfer to a less physically demanding position
- Breaks to drink water
- Occasional breaks to rest
- Time off for recovery from childbirth
- Changes to your work environment (e.g., avoiding toxins)
- Modified work schedule

## 2 | Am I covered?

If you are pregnant, recovering from childbirth, nursing, or have a related medical condition and work for an employer in New York City (Manhattan, the Bronx, Brooklyn, Staten Island, or Queens) who has **at least 4 employees**, then you are covered. This includes part-time workers and independent contractors.



Courtesy of Game Face Productions

## 3 | What are my rights?

Your employer must provide a “reasonable accommodation” to keep you **healthy and safe at work**. Your employer must also provide written notice to all employees by May 30, 2014 of your rights under this new law.

**Note:** Your employer is allowed to deny your request for an accommodation if it would cause an “undue hardship” (it’s your employer’s job to prove this) or, if you cannot, with reasonable accommodation, satisfy the “essential requisites” of your job. If your employer refuses to accommodate you for either reason, but accommodates other workers with similar limitations, such as those with disabilities or on-the-job injuries, consult an attorney. This may be evidence of pregnancy discrimination.

## 4 | Do I have to be disabled to get an accommodation?

**No.** Even women with healthy pregnancies can get a reasonable accommodation if they need one, such as light duty to prevent injury in a physically demanding job.

## 5 | What should I do if my employer refuses to grant me a reasonable accommodation or punishes me for being pregnant or for asking for an accommodation?

### *Get help to stand up for your rights!*

Call our **Families @ Work Legal Clinic Hotline** for help and advice at **212.430.5982**.

ABB is a not-for-profit legal center that works with New Yorkers who are facing unfair treatment at work because they are pregnant or have family care responsibilities. All of our services are completely free.

*This pamphlet is designed to assist you in understanding your rights at work when pregnant. It is always advisable to consult with an attorney as soon as possible if you think your rights have been affected.*