

FEDERAL PREGNANT WORKERS FAIRNESS ACT POLICY (PWFA)

PURPOSE

To comply with the provisions of the Federal Pregnant Workers Fairness Act.

SCOPE

This policy applies to all qualifying pregnant employees.

POLICY

LADD has developed and established the following Federal Pregnant Workers Fairness policy. This policy summarizes employees' rights and responsibilities under LADD's PWFA Policy. More details about PWFA and whether you qualify may be obtained by contacting the Human Resources Department.

DEFINITIONS

Reasonable Accommodations for a condition related to or affected by pregnancy, childbirth or a related medical condition. The condition can be physical or mental. Pregnancy-related conditions include, among others, morning sickness, gestational diabetes, post-partum depression, and lactation.

PROCEDURES

PWFA requires an employer with 15 or more employees to provide pregnancy-related reasonable accommodations for qualified employees and job applicants with temporary physical or mental limitations due to pregnancy, childbirth or related conditions under the PWFA.

EXPLANATION

This law expands employer obligations to provide reasonable accommodations unless doing so imposes an undue hardship beyond what is already required by the Americans with Disabilities Act (ADA) in that being entitled to a pregnancy-related accommodation does not require that the employee's condition rise to the level of a disability. Employees are entitled to accommodations even if they can't perform their essential job functions on a temporary basis.

POSSIBLE ACCOMMODATIONS

Providing more frequent or longer breaks, modifying a food or drink policy, providing seating or allowing employee to sit more frequently if their job requires standing. Observe limits on lifting, job restructuring, light duty, or a modified work schedule.

Employer can not require an employee to take a leave if a reasonable on-the-job accommodation is available. Like the ADA, the employer and employee should engage in an interactive good-faith discussion between the employer and employee to try and identify an appropriate reasonable accommodation that may be provided to the employee unless it imposes an undue hardship.

UNDUE HARDSHIP EXCEPTION

Employers don't have to provide accommodation if doing so would cause an undue hardship on the operation of the employer's business. Undue hardship is defined as "an action requiring significant difficulty or expense", the same as under the ADA.

PROCEDURE FOR REQUESTING

All requests for reasonable accommodations must be initiated by contacting your direct supervisor. All requests are then submitted to Human Resources to determine eligibility. Please complete the Pregnancy Form.

EMPLOYEE BENEFITS DURING PWFA

During any PWFA, the employee is required to pay any portion of health insurance premiums normally deducted from the employee's paycheck. When an employee takes a paid leave, LADD will continue to take all deductions from the employee's paycheck as if the employee remained as active employment status. If the employee does not receive a paycheck due to unpaid leave, Human Resources will notify the employee of their financial obligations for insurance premiums.

