

**Chelsea Housing Authority
Pregnant Worker's Fairness Policy
Approved March 14, 2018**

The Chelsea Housing Authority (CHA) will comply with the requirements of the Massachusetts Pregnant Worker's Fairness Act (PWFA) and it is the policy of the CHA not to discriminate against current employees or applicants for employment on the basis of pregnancy and pregnancy-related conditions, including but not limited to lactation or the need to express breast milk for a nursing child. If you are pregnant or have a pregnancy-related condition you have the right to request a reasonable accommodation which is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the employer, you must contact Human Resources to begin the interactive process.

Some of your rights under the Act are:

- An employer must accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. "Undue hardship" means that providing the accommodation would cause the employer significant difficulty or expense. The interactive dialogue will determine whether a reasonable accommodation can be made without undue hardship.
- An employer cannot require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- An employer cannot refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- An employer cannot deny an employment opportunity or take adverse action against an employee because of the employee's request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.
- An employer cannot require medical documentation about the need for an accommodation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other accommodations.

Some examples of a "Reasonable accommodation", may include, but are not be limited to: (i) more frequent or longer paid or unpaid breaks; (ii) time off to attend to a pregnancy complication or recover from childbirth with or without pay; (iii) acquisition or modification of equipment or seating; (iv) temporary transfer to a less strenuous or hazardous position; (v) job restructuring; (vi) light duty; (vii) private non-bathroom space for expressing breast milk; (viii) assistance with manual labor; or (ix) a modified work schedule; provided, however, that an

employer shall not be required to discharge or transfer an employee with more seniority or promote an employee who is not able to perform the essential functions of the job with or without a reasonable accommodation.

The CHA will not tolerate any adverse action or retaliation taken against an employee who requests a reasonable accommodation due to pregnancy or pregnancy-related conditions or exercises their rights under this policy.

March, 2018