PREGNANCY DISCRIMINATION

NOTICE Connecticut General Statutes §§ 46a-60(a), (b)(7), (d)(1) Pregnancy Discrimination and Accommodation in the Workplace

Covered Employers Each employer with more than 3 employers must comply with these anti-discrimination and reasonable accommodation laws related to an employee or job applicant's pregnancy, childbirth or related conditions, including lactation.

Prohibition of Discrimination No employer may discriminate against an employee or job applicant because of her pregnancy, childbirth or other related conditions (e.g., breastfeeding or expressing milk at work).

Prohibited discriminatory conduct includes

- Terminating employment because of pregnancy, childbirth or related condition
- Denying reasonable leave of absence for disability due to pregnancy (e.g., doctor prescribed bed rest during 6-8 week recovery period after birth)*
- Denying disability or leave benefits accrued under plans maintained by the employer
- Failing to reinstate employee to original job or equivalent position after leave
- Limiting, segregating or classifying the employee in a way that would deprive her of employment opportunities
- Discriminating against her in the terms or conditions of employment

*Note: There is no requirement that the employee be employed for a certain length of time prior to being granted job protected leave of absence under this law.

Reasonable Accommodation An employer must provide a reasonable accommodation to an Employee or job applicant due to her pregnancy, childbirth or needing to breastfeed or express milk at work.

Reasonable accommodations include, but are not limited to:

- Being permitted to sit while working
- More frequent or longer breaks
- Periodic rest
- Assistance with manual labor
- Job restructuring
- Light duty assignments
- Modified work schedules
- Temporary transfers to less strenuous or less hazardous work
- Time off to recover from childbirth (prescribed by a Doctor, typically 6-8 weeks
- Break time and appropriate facilities (not a bathroom) for expressing milk

Denial of Reasonable Accommodation No employer may discriminate against employee or job applicant by denying a reasonable accommodation due to pregnancy.

Prohibited discriminatory conduct includes:

- Failing to make reasonable accommodation (and is not an undue hardship)**
- Denying job opportunities to employee or job applicant because of request for reasonable accommodation
- Forcing employee or job applicant to accept a reasonable accommodation when she has no known limitation related to pregnancy or the accommodation is not required to perform the essential duties of job
- Requiring employee to take a leave of absence where a reasonable accommodation could have been made instead

** Note: To demonstrate an undue hardship, the employer must show that the accommodation would require a significant difficulty or expense in light of its circumstances.

Prohibition of Retaliation Employers are prohibited from retaliating against an employee because of a request for reasonable accommodation.

Notice Requirements Employers must post and provide this notice to all existing employees by January 28,2018; to an existing employee within 10 days after she notifies the employer of her pregnancy or related conditions; and to new employees upon commencing employment.

Complaint Process CHRO Any employee aggrieved by a violation of these statutes may file a complaint with the Connecticut Commission on Human Rights and Opportunities (CHRO). Complainants have 180 days from the date of the alleged act of discrimination, or from the time that you reasonably became aware of the discrimination, in which to file a complaint. It is illegal for anyone to retaliate against you for filing a complaint.

CHRO main number: 860-541-3400

CHRO website: **www.ct.gov/chro/site/default.asp**

CHRO link "How to File a Discrimination Complaint":
http://www.ct.gov/chro/taxonomy/v4_taxonomy.asp?DLN=45570&chroNav=|45570|

DOL Additionally, women who are denied the right to breastfeed or express milk at work, or are discriminated or retaliated against for doing so, may also file a complaint with the Connecticut Department of Labor (DOL).

DOL phone number: 860-263-6791

DOL complaint form:

For English:
http://www.ctdol.state.ct.us/wgwkstnd/form/dol-80%20fillable.doc

For Spanish:
http://www.ctdol.state.ct.us/wgwkstnd/forms/DOL-80S%20fillable-Spa.doc