Eighteen states and the District of Columbia have passed laws to explicitly grant pregnant employees the right to reasonable accommodations at work. Twelve of these laws have been passed since 2013, all with bipartisan support, and in the majority of cases with unanimous or near-unanimous support. Although the details of the laws vary from state to state, they share a core principle: a pregnant worker with a medical need for accommodation should not be pushed out of work when she can be reasonably accommodated without imposing an undue hardship on the employer. These laws affirm that no one should be forced to choose between the health of her pregnancy and her paycheck.

**Alaska**
- Applies to state employers with at least 21 employees.
- Requires transfer of a pregnant public employee to a less strenuous or hazardous available position for which she is qualified in the same division, when recommended by a licensed health care provider.  

**California**
- Applies to all public employers and to all private employers with at least 5 employees.
- Requires the provision of reasonable accommodations for conditions related to pregnancy, childbirth, or related medical conditions when an employee requests an accommodation based on the advice of a health care provider.
- Prohibits employers who have a policy, practice, or a collective bargaining agreement requiring or authorizing transfer of temporarily disabled employees to less strenuous or hazardous positions for the duration of the disability from refusing to transfer a pregnant employee who so requests.  

**Colorado** (passed with bipartisan support in 2016)
- Applies to all employers.
- Requires employers to provide an applicant or employee with health conditions related to pregnancy or childbirth with reasonable accommodations to perform the essential functions of the job, if the applicant or employee requests the reasonable accommodations, unless the accommodation would impose an undue hardship on the employer’s business. An employer may require an applicant or employee to provide a note from a licensed health care provider before providing a reasonable accommodation.  

**Connecticut**
- Applies to all employers with at least 3 employees.
- Requires reasonable efforts to transfer a pregnant employee to an available suitable temporary position in any case in which an employee gives written notice of her pregnancy to her employer and the employer or employee reasonably believes that the continued employment in her current position may cause injury to the employee or the fetus.  

**Delaware** (passed unanimously in 2014)
- Applies to all employers with at least 4 employees.
- Requires the provision of reasonable accommodations to employees with known limitations related to pregnancy, childbirth, or related conditions, including the need to express breast milk, unless this would impose an undue hardship on the employer.  

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**WORKPLACE JUSTICE**

**PREGNANCY ACCOMMODATIONS IN THE STATES**

**WORKPLACE JUSTICE**

**PREGNANCY ACCOMMODATIONS IN THE STATES**
District of Columbia (passed unanimously in 2014)
• Applies to all employers.
• Requires the provision of reasonable accommodations to employees with known limitations related to pregnancy, childbirth, related medical conditions, or breastfeeding, unless providing such accommodation would impose an undue hardship on the employer. An employer may require an employee to provide a certificate from the employee’s health care provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is required for other temporary disabilities. vi

Hawaii
• Applies to all employers.
• Requires the provision of reasonable accommodations to employees affected by disability due to pregnancy, childbirth, or related medical conditions. vii

Illinois (passed unanimously in 2014)
• Applies to all employers.
• Requires the provision of reasonable accommodations to employees for medical or common conditions related to pregnancy or childbirth if an employee requests this, unless the accommodation would impose an undue hardship on the employer. An employer may request documentation from the employee’s health care provider concerning the need for the requested reasonable accommodation to the same extent documentation is requested for conditions related to disability, if the employer’s request for documentation is job-related and consistent with business necessity. viii

Louisiana
• Applies to employers with at least 25 employees.
• Prohibits employers who have a policy, practice, or a collective bargaining agreement requiring or authorizing transfer of temporarily disabled employees to less strenuous or hazardous positions for the duration of the disability from refusing to transfer a pregnant employee who so requests.
• Requires transfer of a pregnant employee to a less strenuous or hazardous position for which she is qualified if she requests this based on advice of her physician and if the transfer can be reasonably accommodated by the employer. ix

Maryland (passed with bipartisan support in 2013)
• Applies to all employers with at least 15 employees.
• Requires the employer to explore all possible means of providing a reasonable accommodation that does not impose an undue hardship on the employer for an employee who requests it for a disability caused or contributed to by pregnancy. An employer may require an employee to provide a certification from the employee’s health care provider concerning the medical advisability of a reasonable accommodation to the same extent a certification is required for other temporary disabilities.
• Requires transfer of a pregnant employee to a less strenuous or hazardous available position in some circumstances if she requests such a transfer. x

Minnesota (passed with bipartisan support in 2014)
• Applies to all employers with at least 21 employees at any one site.
• Requires employer to provide reasonable accommodations for health conditions related to pregnancy or childbirth if the employee so requests, with the advice of her licensed health care provider or certified doula, unless the accommodation would impose an undue hardship on business operations. A pregnant employee is not required to obtain the advice of her licensed health care provider or certified doula, nor can an employer claim undue hardship, for more frequent restroom, food, and water breaks; seating; and limits on lifting over 20 pounds. xi

Nebraska (passed with no dissenting votes in 2015)
• Applies to all employers with at least 15 employees.
• Requires employer to accommodate the known physical limitations of employees who are pregnant, have given birth, or have a related medical condition, unless doing so would impose an undue hardship on the operations of the business. xii

New Jersey (passed with one dissenting vote in 2014)
• Applies to all employers.
• Requires employers to provide reasonable accommodations to an employee who is a woman affected by pregnancy, childbirth, or related medical conditions, including recovery from childbirth, when the employee, based on the advice of her physician, requests the accommodation, unless doing so would impose undue hardship on business operations. xiii
New York (passed with no dissenting votes in 2015)

- Applies to all employers with at least 4 employees.
- Requires reasonable accommodations for employees who have known temporary medical conditions related to pregnancy or childbirth that inhibit the exercise of normal bodily function, or are otherwise medically demonstrable, absent undue hardship to the employer. An employer can request medical or other information necessary to verify the existence of the pregnancy-related condition or necessary for consideration of the accommodation. xv

North Dakota (passed with one dissenting vote in 2015)

- Applies to all employers.
- Requires reasonable accommodations for pregnant employees, unless the accommodation disrupts or interferes with the employer’s normal business operations, threatens anyone’s health or safety, contradicts a business necessity of the employer, or imposes an undue hardship on the employer. xv

Rhode Island (passed with no dissenting votes in 2015)

- Applies to all employers with at least 4 employees.
- Requires the provision of reasonable accommodations to employees, upon request, who have limitations in their ability to work stemming from pregnancy, childbirth, or a related medical condition, explicitly including the need to express breast milk, absent undue hardship to the employer. xvi

Texas

- Applies to all municipal and county employers.
- Requires the employer to make a reasonable effort to accommodate an employee who is determined by a physician to be partially physically restricted by a pregnancy. In addition, if any employee’s physician certifies that the employee cannot perform her duties as a result of her pregnancy, the employee can receive an alternative temporary work assignment if such an assignment is available in the same office. xvi

Utah (passed with bipartisan support in 2016)

- Applies to all public employers and to all private employers with at least 15 employees.
- Requires the provision of reasonable accommodations related to pregnancy, childbirth, breastfeeding, or related conditions upon the employee’s request, unless the accommodation would impose an undue hardship on the employee. An employer may require certification from a health care provider concerning the medical advisability of a reasonable accommodation, unless the accommodation sought is more frequent restroom, food, or water breaks, in which case no certification may be required. xviii

Several municipalities have also adopted pregnant workers accommodations laws, all since 2013: New York City, NY (unanimously); xix Philadelphia (no dissenting votes) xxi and Pittsburgh (unanimously), xxi PA; and Providence (unanimously)xxii and Central Falls, xxiv RI.