

Connecticut Commission on Human Rights and Opportunities Issues Blueprint on Pregnant Workers' Rights in Connecticut

On April 23, 2019, the Connecticut Commission on Human Rights and Opportunities will issue a Best Practices Blueprint clarifying the scope of pregnant workers' rights at work. Under the Connecticut Fair Employment Practices Act, an employer shall not terminate or otherwise discriminate against an employee or job applicant because of their pregnancy, childbirth, or related condition. An employer must also provide an employee or job applicant with reasonable accommodations or reasonable leave, unless doing so would cause an undue hardship.

The Blueprint clarifies that:

- **Workers are entitled to reasonable accommodations for pregnancy, childbirth, and related conditions.** Pregnant employees can request accommodations so they can perform their duties. The request can be informal and employers cannot require medical documentation to accompany it. Most requests for reasonable accommodations, such as more frequent or longer breaks, light duty, or time-off to attend prenatal appointments, may reasonably be granted without the need for a doctor's note.
- **Workers are entitled to reasonable leaves of absence due to disability resulting from pregnancy.** "Disability" includes any pregnancy-related impairment or physical limitation imposed by pregnancy. An uncomplicated pregnancy typically gives rise to a need for six to eight weeks of leave, though workers have the right to take less leave and, sometimes, to take more.
- **Workers are entitled to reasonable accommodations and reasonable leaves of absences for any pregnancy-related condition or symptom.** These include common conditions and symptoms, such as nausea, dehydration, and postpartum depression.
- **Workers are entitled to reasonable accommodations for lactation needs.** Employers must allow employees to use their break time to express breast milk or breastfeed. An employer must also provide a room or other proximate location to express breastmilk.
- **Workers are entitled to confidentiality.** An employee may choose to keep any medical diagnosis confidential. Likewise, an employer should not directly contact the employee's doctor without first obtaining the employee's permission.
- **After a request has been made, employers should engage in good-faith discussion with employees regarding potential reasonable accommodations.** If an employee asks for an accommodation, the employer has a duty to work with them to determine what, if any, accommodation should be provided. If the requested accommodation would be an undue burden, the employer must discuss whether alternative accommodations may be effective in meeting the employee's needs.
- **It is illegal to retaliate against an employee for requesting a reasonable accommodation or leave.**

Connecticut workers who are pregnant, new parents, caregivers, or victims of family violence can call (203) 432-3800 for free and confidential legal advice from the Connecticut Work-Care Helpline, a project of the Worker & Immigrant Rights Advocacy Clinic at Yale Law School's Jerome N. Frank Legal Services Organization. Connecticut workers who have experienced a violation of their rights at work may also file a complaint with the Connecticut Commission on Human Rights and Opportunities: <https://www.ct.gov/chro/site/default.asp>.