



<b>Policy 2.7</b>		<b>Pregnant Workers Fairness Act (NEW)</b>	
<u>Effective Date:</u> 6/27/23	<u>Applicable Law/Statute:</u> 42 USC §2000gg	<u>Source Doc/Dept.:</u> None/HR	<u>Authorizing I.C. Sec:</u>
<u>Last Amended Date:</u>			

---

## **PREGNANT WORKERS FAIRNESS ACT**

**2.7**

### **POLICY**

It is the policy of DuPage County to comply with the requirements of the Pregnant Workers Fairness Act (PWFA) relating to County programs, services, activities, or employment. This policy is intended to protect the rights of interested persons, to have appropriate due process standards and to ensure that DuPage County government complies with the PWFA.

### **ELIGIBILITY**

- All employees under County Board Jurisdiction regardless of employment status.

### **GUIDELINES**

The County will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth, or related medical conditions.

### **PROCEDURES**

1. An employee or applicant may request an accommodation due to pregnancy, childbirth, or a related medical condition by submitting the request in writing to Human Resources (HR). The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable.
2. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.
3. Upon receipt of a request for accommodation, HR will contact the employee to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

4. An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the County will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.
5. In most circumstances if leave time is needed, an employee may be required to use any accrued vacation, personal days, and sick time during any leave time taking. FMLA leave will run concurrently with PWFA leave time.
6. The County will provide basic life, medical and dental insurance coverage to an employee who is on PWFA leave at the current employee rate. If an employee is off work after exhausting their twelve (12) weeks of Family Medical Leave, the employee will be responsible for the entire premium, from that point forward. If an employee fails to pay their share of the premium, coverage may be canceled.

### **Complaints**

1. The County prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.
2. The Chief Human Resources Officer, or designee, will serve as the representative of the County. Any employee or applicant who believes that they have been subject to discrimination shall inform the Chief Human Resources Officer, or designee, in writing.
3. This written statement must be specific regarding:
  - a) Complainant's name and position or, if complainant is an applicant, please include name and address
  - b) Nature of discrimination
  - c) Date(s) incident occurred
  - d) Individuals involved
  - e) Individuals involved who have information regarding the charge
4. All reports will be investigated. Results of the investigation shall remain confidential to the extent practical.
5. If the Chief Human Resources Officer, or designee, finds that the claim has merit, appropriate action will be taken. This may include disciplinary action, not to exclude termination.