

Pregnant Workers' Accommodation Rights

A Guide for Employers & Employees in Washington State



What Are Pregnancy Accommodation Laws?

Pregnancy accommodation laws provide specific civil rights protections for pregnant employees. Under Washington law (RCW 43.10.005), all employers with 15 or more employees must provide these accommodations.

What Accommodation Rights Do Pregnant Employees Have?

Pregnant employees may request certain changes to their working environment to accommodate their pregnancy and health conditions after the birth of the baby, such as the need to breastfeed or express milk. Employers must fulfill a pregnant employee's request for:

- Frequent, longer, or flexible restroom breaks;
- Modification of a no food or drink policy;
- Seating or allowing the employee to sit more frequently; and
- Refraining from lifting more than 17 pounds.

Employers may request a written note from a health care professional outlining the need for a change when a pregnant employee requests:

- Job restructuring, including modifying a work schedule, job reassignment, changing a work station, or providing equipment;
- A temporary transfer to a less strenuous or hazardous position;
- Scheduling flexibility for prenatal visits; and
- Any further accommodations the employee may need.

What Are Prohibited Practices?

Under Washington State law an employer may not:

- Fail or refuse to accommodate a pregnant employee, unless doing so would impose an "undue hardship";
- Retaliate against a pregnant employee who requests a change to their work environment;
- Deny employment opportunities to an otherwise qualified employee because of their needs; or
- Require a pregnant employee to take leave if an alternative solution could be provided.

An "undue hardship" is defined by the law as, "an action requiring significant difficulty or expense."

How Do I Report A Violation Of My Pregnancy Rights?

The Washington State Attorney General's Civil Rights Unit accepts complaints from pregnant employees whose workplace rights may have been violated.

Contact us at pregnancy@atg.wa.gov or leave a message on our toll-free line at (833) 389-2427.

You can also submit a complaint online at: www.atg.wa.gov/pregnancy-accommodations

Washington State Office of the Attorney General

(360) 753-6200

www.atg.wa.gov

