

# MCAD Issues Guidance on the Pregnant Worker Fairness Act



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The Pregnant Workers Fairness Act becomes effective on April 1, 2018 and will be enforced by the Massachusetts Commission Against Discrimination. In anticipation, the Commission has issued a short Guidance that is available [here](#), on Mass.gov. As highlighted in the Guidance, the Act expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such lactation or the need to express breast milk. Generally, employers may not treat employees – or job applicants – less favorably than other employees are treated based on pregnancy or pregnancy-related conditions.

The Act provides pregnant women and new mothers with a right to reasonable accommodations from their employers for pregnancy and pregnancy-related conditions **whether or not** they have a “handicap” as defined by law. Employers cannot require medical documentation to support requests for accommodations regarding: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other requested accommodations.

The Act itself is available [here](#).

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