

ILLINOIS PREGNANCY ACCOMMODATION ACT

Summary

The Illinois ~~Human Rights Act Pregnancy Accommodation Act~~ prohibits unlawful discrimination based on against pregnancy, ~~and an employee is entitled to reasonable accommodations.~~

Eligibility

This policy protects employees as well as job applicants. This policy applies to all employees and job applicants affected by pregnancy, childbirth or medical or common conditions related to pregnancy or childbirth.

Coverage

~~Pregnancy is a protected class under the Illinois Pregnancy Accommodation Act (IPAA). Pregnant workers~~ Eligible applicants and employees are entitled to reasonable accommodation as required by law., ~~and those accommodations~~ Accommodations may vary by individual and from job to job.

Examples of Reasonable Accommodation

A reasonable accommodation is a reasonable modification or adjustment to the job application process or work environment, or to the manner or circumstances under which the position desired or held is customarily performed, that enable an applicant or employee affected by pregnancy to be considered for the position or to perform the essential functions of that position.

The employee is responsible for making the accommodation request. Listed below are examples of possible accommodation requests:

- More frequent or longer bathroom breaks;
- Breaks for increased water intake;
- Breaks for periodic rests;
- Private non-bathroom space for expressing breast milk and breastfeeding;
- Seating;
- Assistance with manual labor;
- Light duty;
- Temporary transfer to a less strenuous or hazardous position;
- The provision of an accessible worksite;
- Acquisition or modification of equipment;
- Job restructuring;
- A part-time or modified work schedule;
- Appropriate adjustment or modifications of examinations, training materials, or policies;
- Reassignment to a vacant position;
- Time off to recover from pregnancy; and
- Leave necessitated by pregnancy.

Medical Certification

If the employee is requesting a reasonable accommodation for pregnancy, childbirth or medical or common conditions related to pregnancy or childbirth, the employee and the relevant health-care provider must supply appropriate medical certification. This certification should include:

- The need or medical justification for the requested accommodation;

- A description of the reasonable accommodation ~~medically advisable~~request;
- The date the reasonable accommodation became medically advisable; and
- The probable duration of the reasonable accommodation.

An accommodation may be denied if the employee does not provide the necessary medical certification.

An employee may request paid or unpaid leave as a ~~reasonable~~reasonable accommodation under this policy. All accommodation requests will be reviewed by RAILS in accordance with applicable law. The employee and employer shall engage in a timely, good faith, and meaningful exchange to determine effective reasonable accommodations. ; however, RAILS will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue work.

RAILS 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.

For more information about the Illinois Human Rights Act, which prohibits pregnancy discrimination and the employer's obligation to accommodate pregnancy in the workplace, employees should reference the "Pregnancy and Your Rights" in the workplace posting, which can be found with RAILS' other employment posters or located here:

https://www2.illinois.gov/dhr/Publications/Documents/Pregnancy_Posting-Igl-ENG14.pdf

PREGNANCY ACCOMMODATION

Summary

The Illinois Human Rights Act prohibits unlawful discrimination based on pregnancy.

Eligibility

This policy protects employees as well as job applicants. This policy applies to all employees and job applicants affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth.

Coverage

Eligible applicants and employees are entitled to reasonable accommodation as required by law. Accommodations may vary by individual and from job to job.

Examples of Reasonable Accommodation

A reasonable accommodation is a reasonable modification or adjustment to the job application process or work environment, or to the manner or circumstances under which the position desired or held is customarily performed, that enable an applicant or employee affected by pregnancy to be considered for the position or to perform the essential functions of that position.

The employee is responsible for making the accommodation request. Listed below are examples of possible accommodation requests:

- More frequent or longer bathroom breaks;
- Breaks for increased water intake;
- Breaks for periodic rests;
- Private non-bathroom space for expressing breast milk and breastfeeding;
- Seating;
- Assistance with manual labor;
- Light duty;
- Temporary transfer to a less strenuous or hazardous position;
- The provision of an accessible worksite;
- Acquisition or modification of equipment;
- Job restructuring;
- A part-time or modified work schedule;
- Appropriate adjustment or modifications of examinations, training materials, or policies;
- Reassignment to a vacant position;
- Time off to recover from pregnancy; and
- Leave necessitated by pregnancy.

Medical Certification

If the employee is requesting a reasonable accommodation for pregnancy, childbirth or medical or common conditions related to pregnancy or childbirth, the employee and the relevant health-care provider must supply appropriate medical certification. This certification should include:

- The need or medical justification for the requested accommodation;
- A description of the reasonable accommodation request;
- The date the reasonable accommodation became medically advisable; and

- The probable duration of the reasonable accommodation.

An accommodation may be denied if the employee does not provide the necessary medical certification.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy. All accommodation requests will be reviewed by RAILS in accordance with applicable law. The employee and employer shall engage in a timely, good faith, and meaningful exchange to determine effective reasonable accommodations. RAILS will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue work.

RAILS 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.

For more information about the Illinois Human Rights Act, which prohibits pregnancy discrimination and the employer's obligation to accommodate pregnancy in the workplace, employees should reference the "Pregnancy and Your Rights" in the workplace posting, which can be found with RAILS' other employment posters or located here:

https://www2.illinois.gov/dhr/Publications/Documents/Pregnancy_Posting-IgI-ENG14.pdf