

REFERENCE TITLE: pregnant employees; reasonable accommodation

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1647

Introduced by

Senators Burch: Alston, Bennett, Farnsworth, Fernandez, Gabaldón,
Gonzales, Kaiser, Marsh, Mendez, Miranda; Representatives Terech, Travers

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 23-207; RELATING TO EMPLOYMENT PRACTICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 23, chapter 2, article 1, Arizona Revised
3 Statutes, is amended by adding section 23-207, to read:
4 23-207. Employers; pregnant employees; reasonable
5 accommodation; notice
6 A. AN EMPLOYER THAT EMPLOYS FIFTEEN OR MORE EMPLOYEES SHALL PROVIDE
7 A REASONABLE ACCOMMODATION FOR PREGNANT EMPLOYEES UNLESS THAT
8 ACCOMMODATION WOULD IMPOSE AN UNDUE HARDSHIP ON THE BUSINESS. THE
9 REASONABLE ACCOMMODATION MAY INCLUDE ANY OF THE FOLLOWING:
10 1. ACQUISITION OR MODIFICATION OF EQUIPMENT OR DEVICES.
11 2. MORE FREQUENT BREAK PERIODS OR ADDITIONAL RESTROOM, FOOD OR
12 WATER BREAKS.
13 3. ASSISTANCE WITH MANUAL LABOR.
14 4. A PRIVATE AREA FOR BREASTFEEDING AFTER CHILDBIRTH.
15 5. MODIFICATION OF WORK SCHEDULES OR JOB ASSIGNMENTS.
16 6. SCHEDULING FLEXIBILITY TO ACCOMMODATE PRENATAL HEALTH CARE
17 VISITS.
18 B. AN EMPLOYER MAY NOT REQUIRE THE EMPLOYEE TO USE ANNUAL, VACATION
19 OR SICK LEAVE IF A REASONABLE ACCOMMODATION CAN BE MADE.
20 C. AN EMPLOYER SHALL CONSPICUOUSLY POST NOTICE OF THE EMPLOYER'S
21 REQUIREMENT TO PROVIDE A REASONABLE ACCOMMODATION TO A PREGNANT EMPLOYEE
22 AND INCLUDE A COPY OF THAT INFORMATION IN THE EMPLOYEE HANDBOOK.
23 D. AN EMPLOYER SHALL PROVIDE WRITTEN NOTICE TO:
24 1. NEWLY HIRED EMPLOYEES AT THE TIME OF HIRE.
25 2. CURRENT EMPLOYEES WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE
26 EFFECTIVE DATE OF THIS SECTION.
27 3. PREGNANT EMPLOYEES WITHIN TEN DAYS AFTER THE EMPLOYEE INFORMS
28 THE EMPLOYEE'S EMPLOYER OF THE PREGNANCY.
29 Sec. 2. Short title
30 This act may be cited as the "Pregnant Workers Protection Act".