



NOTICE REGARDING RIGHTS OF PREGNANT WORKERS

Effective August 10, 2016, pursuant to C.R.S. § 24-34-402.3, et seq., all employees and applicants for employment in the State of Colorado have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. In addition, all employers shall:

PROVIDE REASONABLE ACCOMMODATIONS TO PERFORM THE ESSENTIAL FUNCTIONS OF THE JOB TO AN APPLICANT FOR EMPLOYMENT OR AN EMPLOYEE FOR HEALTH CONDITIONS RELATED TO PREGNANCY OR THE PHYSICAL RECOVERY FROM CHILDBIRTH, IF THE APPLICANT OR EMPLOYEE REQUESTS THE REASONABLE ACCOMMODATIONS, UNLESS THE ACCOMMODATION WOULD IMPOSE AN UNDUE HARDSHIP ON THE EMPLOYER'S BUSINESS;

NOT TAKE ADVERSE ACTION AGAINST AN EMPLOYEE WHO REQUESTS OR USES A REASONABLE ACCOMMODATION RELATED TO PREGNANCY, PHYSICAL RECOVERY FROM CHILDBIRTH, OR A RELATED CONDITION;

NOT DENY EMPLOYMENT OPPORTUNITIES TO AN APPLICANT OR EMPLOYEE BASED ON THE NEED TO MAKE A REASONABLE ACCOMMODATION RELATED TO THE APPLICANT'S OR EMPLOYEE'S PREGNANCY, PHYSICAL RECOVERY FROM CHILDBIRTH, OR A RELATED CONDITION;

NOT REQUIRE AN APPLICANT OR EMPLOYEE AFFECTED BY PREGNANCY, PHYSICAL RECOVERY FROM CHILDBIRTH, OR A RELATED CONDITION TO ACCEPT AN ACCOMMODATION THAT THE APPLICANT OR EMPLOYEE HAS NOT REQUESTED OR AN ACCOMMODATION THAT IS UNNECESSARY FOR THE APPLICANT OR EMPLOYEE TO PERFORM THE ESSENTIAL FUNCTIONS OF THE JOB; AND

NOT REQUIRE AN EMPLOYEE TO TAKE LEAVE IF THE EMPLOYER CAN PROVIDE ANOTHER REASONABLE ACCOMMODATION FOR THE EMPLOYEE'S PREGNANCY, PHYSICAL RECOVERY FROM CHILDBIRTH, OR RELATED CONDITION.

An employer may require an employee or applicant to provide a note stating the necessity of a reasonable accommodation from a licensed health care provider before providing such accommodation. If an applicant or an employee requests an accommodation, the employer and applicant or employee shall engage in a timely, good-faith, and interactive process to determine effective, reasonable accommodations for the applicant or employee for conditions related to pregnancy, physical recovery from childbirth, or a related condition.