



D.C. Protecting Pregnant Workers Fairness Act

Tips for Writing Accommodations Notes in Washington D.C.

Under D.C. law, the medical certification for pregnancy and other childbirth related medical conditions must contain the following information:

- **The starting date** the reasonable accommodation became or will become medically advisable;
- **An explanatory statement** as to the medical condition and the advisability of providing the reasonable accommodation in light of the condition; and
- **The probable duration** that the reasonable accommodation will need to be provided.

Please note that D.C. law requires employers to provide accommodations for all pregnant women who need them, not just those with pregnancy-related complications. At this time, there is no federal law that gives women this right.

DO:

- Add additional medical bases for the accommodation if, in addition to being pregnant, the patient has a pregnancy-related condition that prompts the need for accommodations.
- Be specific about the patient's limitations and what accommodations are needed. When possible, suggest multiple alternatives.
- Refer your patient for legal help if her employer denies her request.

- Identify a certain end date for the accommodation; if you aren't sure, use the patient's due date.

DON'T:

- Provide your patient with a note for a reasonable accommodation without discussing the possible implications in her workplace. If you don't have time to do it, find someone who does have time to have this conversation with her.
- Draft a note that provides a detailed medical diagnosis but does not clearly explain the resulting limitations and specific accommodations which would be appropriate.
- Use vague expressions like "light duty" when describing the accommodation or "until further notice" when describing the time period that the accommodation is needed. Such expressions are usually not specific enough and render the request more likely to be denied by the employer as unreasonable.

RESOURCES:

First Shift Justice Project (Washington D.C.): www.firstshift.org; 240-241-0897

Center for WorkLife Law at University of California, Hastings (San Francisco, CA): www.pregnantatwork.org

Job Accommodations Network: www.askjan.org