S T A T E O F N E W Y O R K

9114

I N A S S E M B L Y

January 25, 2012

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to requiring the provisions of reasonable accommodations for pregnant women

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 21-e of section 292 of the executive law, as added by chapter 269 of the laws of 1997, is amended to read as follows:

21-e. The term "reasonable accommodation" means actions taken which permit an employee, prospective employee or member with a disability, A CONDITION RELATING TO PREGNANCY, CHILDBIRTH OR A RELATED MEDICAL CONDITION, to perform in a reasonable manner the activities involved in the job or occupation sought or held and include, but are not limited to, provision of an accessible worksite, acquisition or modification of equipment, support services for persons with impaired hearing or vision, job restructuring and modified work schedules; provided, however, that such actions do not impose an undue hardship on the business, program or enterprise of the entity from which action is requested.

S 2. Subdivision 1 of section 296 of the executive law is amended by adding a new paragraph (h) to read as follows:

(H) FOR AN EMPLOYER TO REFUSE TO PROVIDE REASONABLE ACCOMMODATIONS FOR AN EMPLOYEE FOR CONDITIONS RELATED TO PREGNANCY, CHILDBIRTH OR RELATED MEDICAL CONDITIONS, IF SHE SO REQUESTS, WITH THE ADVICE OF HER HEALTHCARE PROVIDER.

S 3. This act shall take effect on the thirtieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD14085-01-2