

Louisiana Commission on Human Rights Office of the Governor

Pregnancy and Childbirth Nondiscrimination Law (PCNL)

What You Should Know

LSA RS 23:341-342

The Pregnancy and Childbirth Nondiscrimination Law (PCNL) is a part of a much larger law entitled the Louisiana Employment Discrimination Law - LSA RS 23:301.

- Employers who employ more than 25 employees are covered by this law, including the awarding of a contract or subcontract for providing goods or services.
- Maternity Leave: Employees may take up to six (6) weeks of leave for a normal pregnancy and childbirth or up to four (4) months if "disabled" by the pregnancy, childbirth, or a related medical condition. An employer may require any employee to give reasonable notice of the date and duration of the leave.
- Effective August 1, 2021, covered employers must provide an applicant or employee with medical needs causing a known limitation arising from pregnancy, childbirth, or related medical conditions, including lactation, reasonable accommodations when requested, unless providing such accommodation would cause an undue hardship on the operations of the business.
- Employers cannot require an employee or applicant to accept an accommodation that they choose not to accept if they do not have a known limitation related to their pregnancy, childbirth, or related medical condition or if it is unnecessary to perform the essential duties on the job.

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- Reasonable accommodation may include, but is not limited to:
 - Making existing facilities readily accessible and usable; modifying schedules and “compensated” breaks or food/drink policies; allowing more frequent sitting; private place, other than a bathroom, to express breast milk;
 - “providing assistance with manual labor” and lifting limits;
 - temporary transfers “to a less strenuous or hazardous vacant position, if qualified”;
 - job restructuring or light duty where available; or
 - “acquiring or modifying equipment necessary for performing essential job functions;” or other accommodations

Employers can't force an employee to take leave if a reasonable accommodation can be provided.

Employers must provide written notice of this law to new and existing employees prior to December 1, 2021. This notice must be conspicuously posted at the place of business in an accessible area.

If you believe you have been discriminated against because of your pregnancy, please contact the Louisiana Commission on Human Rights (LCHR) at 225.342.6969 or www.gov.la.gov/lchr.