MOORE NORMAN TECHNOLOGY CENTER

BOARD OF EDUCATION POLICY

POLICY # **494**

Adopted: August 19, 2025

PREGNANT WORKERS FAIRNESS ACT

The Pregnant Workers Fairness Act (PWFA) requires employers to provide reasonable accommodations to qualified applicants and employees for known conditions and limitations related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions unless the accommodations will cause the employer an undue hardship. Unlike the Family and Medical Leave Act (FMLA) or paid maternity leave under state law, there is no waiting period for eligibility or hours worked requirement.

Requesting an Accommodation

Applicants/employees may request leave verbally or in writing by informing Human Resources, if available, their immediate supervisor, or, alternatively, the Superintendent or designee. Examples of reasonable accommodations may include, but are not limited to, longer or more flexible breaks, change in food and drink policies, workstation adaptation, dress code modification, work schedule changes, appointment leave, and light duty.

Documentation

Documentation from a health care provider may be requested, if reasonable, to confirm the physical or mental condition of the applicant/employee (e.g., back injury, swollen ankles, lifting restrictions, nausea, sensitivity to smells), confirm that the physical or mental condition is related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions, and to describe the adjustment or change at work that is needed due to the limitation. Any medical documentation will be kept confidential.

Definitions

A "qualified applicant/employee" is an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position. Under the PWFA, an applicant/employee is considered qualified even if they are unable to perform an essential function for a temporary period so long as it can be performed in the near future and the inability to perform the essential function can be reasonably accommodated.

"Known limitation" means a physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the applicant/employee or applicant's/employee's representative has communicated to the technology center or of which the technology center should be aware given the circumstances.

"Undue hardship" means significant difficulty or expense. The technology center will consider the following factors when determining undue hardship:

- The nature and cost of the accommodation.
- The overall financial resources of the impacted campus and the technology center.
- Number of employees employed.
- Number, type, and location of campuses.

- The technology center's operations, including the composition, structure, and functions of staff, and the geographic separateness and administrative or fiscal relationship of the campus or campuses in question to the technology center.

Typically, it will not be an undue hardship to allow an employee:

- To carry and keep near water and drink.
- To take additional restroom breaks, as needed.
- To stand instead of sitting, or to sit instead of standing.
- To take breaks to eat and drink, as needed.

References: 42 U.S.C. § 1211, 42 U.S.C. § 2000gg