



State Human Resources Division Policy Statement:

Reasonable Accommodations and the Pregnant Workers Fairness Act

Effective Date: June 18, 2024

Last Reviewed: June 21, 2024

1. Background

On April 15, 2024, the U.S. Equal Employment Opportunity Commission (EEOC) issued its final rule and interpretive guidance to implement the Pregnant Workers Fairness Act (PWFA), which requires covered entities to provide reasonable accommodations to a qualified employee or applicant with known limitations related to, affected by, or arising from pregnancy, childbirth, or related medical conditions, unless the accommodation will cause an undue hardship with the operation of the business of the covered entity. The EEOC's final rule provides important clarity that will allow pregnant workers the ability to work and maintain a healthy pregnancy and help employers understand their duties under the law.

2. Purpose

This policy statement serves as interim guidance to executive branch agencies and implements the Pregnant Workers Fairness Act for all executive branch employees.

Effective immediately, all executive branch agencies shall provide reasonable accommodations for an employee's or applicant's known limitations related to pregnancy, childbirth, or medical conditions related to pregnancy and childbirth, unless the accommodation would result in an undue hardship for the agency.

Executive branch agencies must comply with the provisions of the final rule implementing the Pregnant Workers Fairness Act.

Failure to provide reasonable accommodations for known limitations related to pregnancy, childbirth, or related medical conditions of a qualified employee or applicant may result in unlawful discrimination, unless the agency can demonstrate the accommodation would impose an undue hardship on the agency.

Additionally, an unnecessary delay to provide a reasonable accommodation to known limitations related to pregnancy, childbirth, or related medical conditions of a qualified employee or applicant may also result in unlawful discrimination.

Please refer to the following EEOC guidance for more specific requirements under the PWFA:

- (1) [What You Should Know about the Pregnant Workers Fairness Act](#)
- (2) [Pregnancy Discrimination and Pregnancy-Related Disability Discrimination](#)