

2427 (GBAM) Accommodation of Pregnancy and Related Medical Conditions: Personnel 2427 (GBAM)

A. Policy Purpose.

This policy is intended to help Milford District employees receive the accommodations related to pregnancy and related conditions to which they are entitled under the Pregnant Workers Fairness Act (PWFA) regarding pregnant employees and employees with pregnancy-related conditions, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Board Policy 2401(AC).

B. Terms.

1. Pregnancy. Under the PWFA, “pregnancy” and “childbirth” refer to the pregnancy or childbirth of the specific employee in question and include, but are not limited to, current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including natural and cesarean delivery).
2. Related Medical Conditions. “Related medical conditions” are medical conditions relating to the pregnancy or childbirth of the specific employee in question. This includes prenatal/antenatal and postpartum medical conditions, as well as lactation-related conditions. See Policy 2425 (ACN) for lactation accommodations.
3. Reasonable Accommodations. A "reasonable accommodation" for purposes of this policy and the PWFA is an accommodation that “seems reasonable on its face, i.e., ordinarily or in the run of cases, is “feasible”, or "plausible” given the specific circumstances of the position. Reasonable accommodations with respect to pregnancy or related conditions **may** include such items as:
 - a. frequent breaks to attend to health needs associated with pregnancy or related conditions, including eating, drinking, using the restroom, or expressing breast milk in an appropriate lactation space (as described in Policy 2425 (ACN));
 - b. schedule changes or intermittent absences to attend medical appointments;
 - c. changes in physical space or supplies (for example, access to a larger desk or a footrest);
 - d. leave;
 - e. avoiding exposure to certain chemicals;

- f. telework;
- g. access to reserved parking;
- h. elevator access; or
- i. other changes to policies, practices, or procedures.

C. Interactive Process and Reasonable Accommodation.

Any employee who is pregnant or who has a related medical condition (the “Employee”) is encouraged to communicate a need for reasonable accommodation to the District by notifying Human Resources. Once the District is so notified, the District will engage in an interactive process with the Employee to make reasonable accommodations for the Employee’s known limitations. The District shall implement such reasonable accommodation without unnecessary delay. If appropriate, the District may implement an interim reasonable accommodation while determining the best way to provide one.

The District shall not require the Employee to accept any accommodation or to take leave, nor will the District deny employment opportunities to the Employee or take any adverse action against the Employee because of the Employee's need for, request of, or use of reasonable accommodation(s).

The District shall not retaliate against, coerce into, dissuade from, or otherwise act against any person for seeking reasonable accommodation or assisting another in seeking reasonable accommodation as described in this policy.

If the Employee refuses a reasonable accommodation offered by the District and, as a result, is unable to perform the essential functions of the job, and there are no alternative reasonable accommodations, the District may have satisfied its obligation to make reasonable accommodation.

D. Supporting Documentation.

The District will only seek reasonable documentation supporting the Employee’s need for accommodation due to pregnancy or a related medical condition when such documentation is necessary to determine reasonable accommodation and/or the expected duration of the need.

The District will not seek supporting documentation when the need is obvious or already known. For example, a need for more frequent restroom breaks for a pregnant employee is obvious. Once the Employee has notified the District of the Employee's pregnancy, the District would not require documentation supporting the ongoing need for more frequent restroom breaks.

E. **Reports or Complaints.**

Reports or complaints of violations of this policy should be made in the first instance under Board policy 5125 (ACAC).

NH Statutes

RSA 354-A:1

Description

(Human Rights) Title and Purposes of Chapter

RSA 354-A:6

Opportunity for Employment without Discrimination a Civil Right

Federal Regulations

89 FR 29182

Description

Pregnant Workers Fairness Act ("PWFA")

Federal Statutes

42 U.S.C. 2000gg

Description

Pregnant Worker Fairness Act ("PWFA")

Adopted: 2/2026