

**STOREY COUNTY ADMINISTRATIVE  
POLICIES AND PROCEDURE**

**NUMBER: 202A  
EFFECTIVE DATE: 5/17/22  
AUTHORITY: BOCC  
COUNTY MANAGER: AO**

**SUBJECT: Pregnancy, Childbirth, and Related Medical Conditions**

**1. Policy**

It is the County's policy to comply proactively with the applicable employment provisions of discrimination laws, including the Federal Pregnancy Discrimination Act (PDA) and Nevada Pregnant Workers' Fairness Act under NRS 613.

The employer is committed to provide reasonable accommodation whenever a female employee/applicant requests an accommodation for a condition of the employee relating to pregnancy, childbirth, or a related medical condition, provided that the individual is otherwise qualified to perform the essential functions of the assigned job, absent undue hardship. Related medical conditions include, without limitation, a physical or mental condition intrinsic to pregnancy or childbirth, including mastitis or other lactation-related medical condition, gestational diabetes, pregnancy-induced hypertension, preeclampsia, post-partum depression, loss or end of pregnancy, and recovery from loss or end of pregnancy.

**2. Accommodation**

If a female employee/applicant requests an accommodation for a condition of the employee/applicant relating to pregnancy, childbirth, or a related medical condition, the ADA Coordinator and employee/applicant shall engage in a timely, good faith and interactive process to determine an effective, reasonable accommodation.

Whenever a manager/supervisor becomes aware that a female employee has requested an accommodation, the manager/supervisor should promptly notify the ADA Coordinator.

Upon learning of the employee's request for accommodation, the ADA Coordinator shall arrange to meet with the manager/supervisor and the employee to discuss her accommodation request, the need for an explanatory statement from the employee's physician concerning the specific accommodation recommended by the physician for the employee, and the impact of the proposed accommodation on the employer.

*Accommodation for Employees:* Reasonable accommodations may include a change in the work environment or in the way things are customarily carried out that allows the employee to have equal employment opportunities, including the ability to perform the essential functions of the position and to have benefits and privileges of employment; such as:

- Modifying equipment or providing different seating;
- Revising break schedules, including the frequency and duration;

- Providing space, other than a bathroom, for expressing milk (see *Leave for Nursing Mothers policy, 612*);
- Providing assistance with manual labor if the manual labor is incidental to the primary work duties of the employee;
- Authorizing light duty;
- Temporarily transferring employee to less strenuous/hazardous position;
- Restructuring position or providing modified work schedule; or
- Leave, with or without pay, if no other reasonable accommodation which would allow the employee to continue to work is available.

*Accommodation for Applicants:* Reasonable accommodations may include a modification to the application process for an applicant or the manner in which things are customarily carried out that allows the applicant to be considered for employment or hired for a position.

### 3. **Prohibitions**

The employer will not:

- Refuse to provide a reasonable accommodation unless the accommodation would impose an undue hardship.
- Take adverse employment action against an employee because the employee requests or uses a reasonable accommodation.
- Deny an employment opportunity to an otherwise qualified applicant because they have requested a reasonable accommodation.
- Require an employee or applicant to accept an accommodation she did not request or chooses not to accept.
- Require an employee to take leave if a reasonable accommodation is available that would allow the employee to continue working.

### 4. **Requirements of Other Laws**

The employer may make pregnancy-related inquiries and require medical exams that are required or necessitated by applicable laws or regulations; e.g., federal safety regulations, OSHA requirements.

### 5. **Notice Requirements**

The employer will provide a written or electronic notice to all new employees upon commencement of employment that they have the right to be free from discriminatory or unlawful employment practices pursuant to this Act. The notice includes a statement that a female employee has the right to a reasonable accommodation for a condition of the employee relating to pregnancy, childbirth, or related medical condition. This notice will be provided within ten days after an employee notifies her immediate supervisor that she is pregnant. This notice will also be posted at conspicuous locations that are accessible to employees.

*RESPONSIBILITY FOR REVIEW: The County HR Director will review this policy every 5 years or sooner as necessary.*