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Update: New Federal Guidance On Accommodation of Pregnant Workers

A series of [new state and local laws](#) require employer accommodation of pregnant workers in certain circumstances, in many cases even if the employee does not experience a pregnancy-related disability. Now the U.S. Equal Employment Opportunity Commission has weighed in on the issue in its new publication, [Enforcement Guidance on Pregnancy Discrimination and Related Issues](#). The guidance, which was published amidst controversy, including [dissent](#) from two of the EEOC's own Commissioners, broadly interprets employer obligations under federal law that may be inconsistent with actual legal obligations.

Given the evolving law regarding accommodation of pregnant employees, employers with a pregnant employee seeking an accommodation should consult with the appropriate human resources professional or legal counsel to determine their obligations based on the state and local law in which the employer operates, as well as to consider whether the EEOC's new guidance should impact decision-making and communications with the employee. ■

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