

REASONABLE ACCOMMODATION TO PREGNANT EMPLOYEES

Pregnancy and Related Conditions under the Utah Antidiscrimination Act

- The Utah Antidiscrimination Act requires an employer to make a **reasonable accommodation** for an employee for **pregnancy, child birth, breastfeeding, or a related condition**, upon the employee's request. UTAH CODE § 34A-5-106(1)(g) (2016).
- Unless the employer can show that the **reasonable accommodation** is an **undue hardship** as defined by the Act, it cannot require an employee to end the employment if a reasonable accommodation may be given, or deny employment opportunities to the employee if the denial is based on the need to make a reasonable accommodation. UTAH CODE § 34A-5-102(1)(w) (2016).
- An employer **may require** an employee seeking a reasonable accommodation based on pregnancy or a related condition to provide a medical certification. A **medical certification** must include:
 - o the date the reasonable accommodation becomes medically advisable;
 - o the probable duration of the accommodation; and
 - o a statement regarding the medical advisability of the accommodation. UTAH CODE § 34A-5-106(7)(a) (2016).
- An employer **may not** require an employee to obtain a certification from the employee's health care provider for more frequent **restroom, food, or water breaks**. UTAH CODE § 34A-5-106(7)(c) (2016).

To learn more about your rights, please contact the Utah Antidiscrimination & Labor Division by calling 801-530-6801 or emailing discrimination@utah.gov.

