



Guidance on Pregnancy and Parental Status: Nondiscrimination and Reasonable Accommodations

THE RIGHTS OF EMPLOYEES WHO ARE PREGNANT AND PARENTING

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex (including pregnancy and parental status) in educational programs or activities including academic, educational, extracurricular, athletic, and other programs or activities of schools. The Pregnancy Discrimination Act of 1978 (PDA) prohibits employment discrimination on the basis of pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. [UCF Policy 2.004](#) prohibits discrimination based on sex (including pregnancy and parental status).

UCF's Nondiscrimination Policy (2-004)

<https://policies.ucf.edu/documents/2-004.pdf>

UCF's Pregnancy and Parenting Website

<https://letsbeclear.ucf.edu/title-ix-at-ucf/ucf-pregnancy-and-parenting/>

University employees have the right to be free from discrimination because of pregnancy and pregnancy-related conditions, including but not limited to lactation or the need to express breast milk for a nursing child. Under the Pregnant Workers Fairness Act (PWFA), the University will reasonably accommodate employees for pregnancy and pregnancy-related conditions, absent an undue burden/hardship for the university. It is unlawful and contrary to university policy to deny an employment or educational opportunity or take adverse action against an individual because of pregnancy or a condition related to pregnancy, provided that the individual is capable of performing the essential functions of their position, with or without reasonable accommodation. Adverse action against employees who request or use reasonable accommodations is likewise prohibited.

Requests for accommodation related to pregnancy, pregnancy-related conditions, and/or childbirth should be filed with the Office of Nondiscrimination & Accommodations Compliance (ONAC). The University's Interim Title IX Coordinator, Ann James, or designee is responsible for administering the accommodation request review process. Some requests also may be reviewed under applicable disability accommodations processes pursuant to the Americans with Disabilities Act (ADA).

PROCEDURES FOR REQUESTING ACCOMMODATIONS

Individuals requesting reasonable accommodations should begin by completing the appropriate Pregnancy Accommodation Request Form:

- For Employees: https://ucf.qualtrics.com/jfe/form/SV_6SDES14n7i4heWq

If you need additional assistance, please contact ONAC at (407) 823-1336 or onac@ucf.edu. As part of this process, ONAC may request medical documentation in support of the requested accommodation. While some accommodations are relatively straightforward, others may require further information during the review. Also, as part of ONAC's assessment of the request, ONAC will likely contact supervisors (for employees) to discuss the requested accommodations to ensure that the accommodations are reasonable. Accommodations may only be implemented if they do not pose an undue burden or hardship.

WHAT IS A PREGNANCY-RELATED CONDITION?

Pregnancy-related conditions are physical or mental health conditions arising from the pregnancy. Such conditions include, but are not limited to, gestational diabetes, preeclampsia, chronic migraines, depression, hyperemesis gravidarum, or carpal tunnel syndrome.

In addition to pregnancy and pregnancy-related conditions, UCF can review requests for reasonable accommodations related to abortion, early termination of pregnancy, or miscarriage.

WHAT ARE TYPICAL ACCOMMODATIONS FOR PREGNANT EMPLOYEES?

While accommodation requests are reviewed on a case-by-case basis, reasonable accommodations may include, but are not limited to, providing accommodations requested by the employee to protect the health and safety of the employee and/or the pregnancy, making modifications to the physical environment, providing mobility support, remote work options, light duty assignments, additional breaks, or leave without pay.

WHAT CONSTITUTES A “FUNDAMENTAL ALTERATION,” “UNDUE BURDEN,” or “HARDSHIP”?

Fundamental alterations are those changes which are so significant that they alter the essential nature of the program or course. Undue burdens are impositions which pose a significant hardship on the university, such that they are too costly, compromise safety, infringe on the rights of others, impede university business, or require others to do more than their fair share of the work. When assessing requests, ONAC is responsible for determining if a requested accommodation would create a fundamental alteration to a program or course or an undue burden/hardship on the university. In these select circumstances, ONAC may deny the accommodation request or provide alternative accommodations which do not pose an undue burden or fundamental alteration.

WHAT ABOUT LACTATION?

UCF provides reasonable break time and access to appropriate facilities for the purpose of expressing breast milk. A reasonable accommodation may include allowing breastfeeding employees reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible (bathroom stalls do not meet this requirement). Employees may take reasonable breaks during the day for the purpose of lactation for up to one year following childbirth. Employees are allowed to express milk during work hours using their normal break and mealtimes. For time that may be needed beyond the usual break times, employees may use available leave balances (annual or compensatory) or may use leave without pay or make up the time as negotiated with their supervisors (coming in early, staying late). See UCF Human Resources procedure below.

Campus Lactation Rooms

<https://hr.ucf.edu/files/Lactation-Room-Locations.pdf>

UCF Human Resources Procedure for Break Times and Locations for Nursing Employees

<https://hr.ucf.edu/wp-content/uploads/sites/17/BreaksForNursingMothers.pdf>

Faculty and staff permit holders in their third trimester of pregnancy may elect to reserve an expectant mother space in their permitted lot. For convenience, a spot may be selected by the expectant mother to provide a location with closer proximity to her primary destination, within the parameters of her previously assigned lot. Should the permit holder need to make these arrangements prior to the third trimester due to a high risk or otherwise problematic condition, please contact the Leave of Absence and Worker's Comp team as soon as possible, so we can provide you with this service. Please complete the [Expectant Mothers Parking Request Form](#) and email the completed form to onac@ucf.edu.

AN EMPLOYEE HAS INFORMED ME THAT THEY ARE PREGNANT. WHAT DO I DO?

Please provide them the contact information for Title IX Coordinator so that they can request accommodations. Do not dissuade the student or employee from requesting accommodations or tell them that their request cannot be accommodated. You also can contact ONAC to discuss the request and learn more about the accommodations process. Supervisors must report to OIE under the PWFA if a known limitation exists.

WHAT IF I BELIEVE I HAVE EXPERIENCED DISCRIMINATION BECAUSE OF MY PREGNANCY OR PARENTAL STATUS?

If you believe you have experienced discrimination or harassment because of your pregnancy or parental status, been unreasonably denied accommodations, or been retaliated against for requesting or using accommodations, please contact ONAC immediately. Incidents of discrimination or harassment should be reported to ONAC by calling our offices at (407) 823-1336 or by email to onac@ucf.edu. Reports may also be submitted to ONAC using the [Intake Form](#) or [Reporting Form Regarding Incidents of Sex Discrimination, Sexual Harassment, Sexual Misconduct or Interpersonal Violence](#).

If you have additional questions or wish to discuss possible accommodations, please contact
the Office of Nondiscrimination & Accommodations compliance at
407-823-1336 or onac@ucf.edu or <https://letsbclear.ucf.edu>