

***NOTICE TO EMPLOYEES REGARDING THE NEVADA PREGNANT WORKERS' FAIRNESS ACT
(Upon Commencement of Employment)***

Employees have the right to be free from discriminatory or unlawful employment practices under the Nevada Pregnant Workers' Act and Nevada Revised Statute 613.335. As such, Nevada System of Higher Education (NSHE) will provide reasonable accommodation to a female employee or applicant for employment upon request of the employee or applicant for a condition relating to pregnancy or childbirth, or a related medical condition, unless such accommodation would cause undue hardship to NSHE.

REQUESTS FOR ACCOMMODATION AND INTERACTIVE PROCESS

Female employees or applicants should direct any request for an accommodation to their immediate supervisor or the appropriate department within the institution that addresses accommodation requests. NSHE will engage in a timely, good faith interactive process to determine an effective, reasonable accommodation for the employee or applicant. Potential accommodations for employees 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 function of the position and to have benefits and privileges of employment that are equal to those available to other employees. Potential accommodations for applicants include modification to the application process or the manner in which things are customarily carried out that allows the applicant to be considered for employment or hired for a position. Examples of reasonable accommodation include but are not limited to: modifying equipment or providing different seating; revising break schedules (including the frequency or duration of breaks), providing space in an area other than a bathroom to be used for expressing breast milk, assisting with manual labor that is incidental to the primary work duties of the employee, light duty work, temporary transfers to a less strenuous or hazardous position, or restricting a position or providing a modified work schedule.

No female applicant or employee affected by a condition relating to pregnancy or childbirth or a related medical condition will be:

- Required to accept an accommodation the employee or applicant did not request or chooses not to accept;
- Required to take a leave of absence as an accommodation if a different reasonable accommodation is available that would allow the employee to continue to work;
- Subject to any adverse action because of requesting or using a reasonable accommodation under this policy; or
- Denied an employment opportunity based on the need of the employee or applicant for a reasonable accommodation under this policy.

Adverse actions can include, but are not limited to: refusal to promote, transfers, refusal to reinstate to the same or an equivalent condition upon return to work, or taking other action which affects the terms or conditions of employment in a manner not desired by the employee. NSHE reserves the right to make exceptions from this policy based upon a bona fide occupational qualification as permitted by the Act. NSHE further reserves the right to require a female employee to provide an explanatory statement from the employee's physician concerning the specific accommodation recommended for the employee.

NEVADA PREGNANT WORKERS' FAIRNESS ACT



Pursuant to NRS 613.335 and sections 2 to 8, inclusive, of the Nevada Pregnant Workers' Fairness Act (effective October 1, 2017) employees have the right to be free from discriminatory or unlawful employment practices based on pregnancy, childbirth, or a related medical condition.

UNDER THE ACT, IT IS UNLAWFUL FOR EMPLOYERS TO:

- Deny a reasonable accommodation to female employees and applicants, upon request, for a condition related to pregnancy, childbirth, or a related medical condition, unless an accommodation would impose an undue hardship on the business of the employer.
- Take adverse employment actions against a female employee because the employee requests or uses a reasonable accommodation.
- Deny an employment opportunity to a qualified female employee or applicant based on a need for a reasonable accommodation.
- Require a female employee or applicant to accept an accommodation that the employee or applicant did not request or chooses not to accept or to take leave from employment if an accommodation is available.

UNDER THE ACT, AN EMPLOYER MAY:

Require a female employee to submit written medical certification from the employee's physician substantiating the need for an accommodation because of pregnancy, childbirth, or related medical conditions, and the specific accommodation recommended by the physician.



www.nvdetr.org

FOR FURTHER INFORMATION REGARDING THE ACT, CONTACT
THE NEVADA EQUAL RIGHTS COMMISSION.

An equal opportunity employer/program.
Auxiliary aids and services are available upon
request for individuals with disabilities
Relay 711 or 800.326.6868

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