

Pregnancy & Parental Leave

Personnel & Students

Interim EWU Policy 402-06

Effective: August 1, 2024

Authority: Board of Trustees

Proponent: Vice President for Student Affairs & Vice President for Business & Finance

Purpose: This policy is intended to inform students and employees of resources and protections available for pregnant and parenting individuals.

History: This policy was initially approved as a guideline by the University President on March 6, 2019. The guidelines were updated and modified into a policy approved by the Board of Trustees on December 10, 2021. Emergency edits were approved by the President effective August 1, 2024, to comply with updated Title IX regulations.

Applicability: This policy pertains to all students and employees of Eastern Washington University.

1 - INTRODUCTION

1-1. Commitment

Eastern Washington University is committed to supporting its students and employees during pregnancy, the birth of a child, adoption of a child, and/or placement of a foster child.

EWU does not discriminate on the basis of pregnancy or related conditions or familial status.

The term “pregnancy or related conditions” includes:

- Pregnancy, childbirth, termination of pregnancy, or lactation;
- Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or,
- Recovery from pregnancy, childbirth, or termination of pregnancy,

2 – PREGNANT STUDENTS

2-1. Mandatory Provision of Information to Pregnant Students

Consistent with Title IX regulations, any EWU employee who is directly notified by a student that the student is pregnant, must promptly provide the pregnant student with the following reference information:

EWU is committed to providing support for students during pregnancy or related conditions. If you are a student experiencing or recovering from these or similar conditions, you are encouraged to explore academic modifications by contacting:

Student Accommodations & Support Services (SASS)

015 Hargreaves

(509) 359-6871

sass@ewu.edu

Title IX Coordinator

211 Tawanka Hall

(509) 359-6724

titleix@ewu.edu

2-2. Ability to Fully Participate

Pregnant students are welcomed and encouraged to continue their studies and participate in university activities throughout their pregnancy. EWU will not exclude pregnant students from its programs and activities.

Departments may require a student to obtain a certification from a health care provider that a pregnant student is physically and emotionally able to continue participating in a program as long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a health care provider. Any medical records obtained must be kept in a secured location and be treated as confidential medical records.

2-3. Need for Leave of Absence for Birth or Adoption of a Child

EWU will grant a student a leave of absence for pregnancy/birth of a child for so long a time as is deemed medically necessary by the student's licensed healthcare provider. To the extent possible, EWU will take reasonable steps to ensure pregnant students who take a leave of absence for pregnancy/birth of a child return to the same academic status and, as practicable, to the extracurricular status the student held when the voluntary leave began.

In situations such as clinical rotations, performances, labs, and group work, EWU will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, EWU will work with a student to see if alternative arrangements can be made or will permit a student to join a subsequent cohort when returning from leave.

Students are encouraged to work with their faculty members and SASS to devise a plan for how to best address the medical conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The Title IX Coordinator can assist with plan development and implementation as needed.

Students have the option of withdrawing from classes for documented medical reasons and may be eligible for a reversal of tuition and fees. Information about how to withdraw for a medical reason is contained in Academic Policy 303-30 (Registration). Students who are looking for assistance in requesting a leave of absence may contact SASS or the Title IX Coordinator.

Students who are also employed by the university may have other leave options available. Leave options for employees are contained in section 4.

2-4. Modifications for Pregnancy and Related Conditions

Students who are experiencing pregnancy or related conditions may request reasonable modifications based on their individualized needs. Modifications may include, but are not limited to:

- Breaks during class to express breast milk or breastfeed;
- Breaks to attend to health needs associated with pregnancy or related conditions, including eating, drinking or using the restroom;
- Intermittent absences to attend medical appointments;
- Access to online education;
- Changes in schedule or course sequence;
- Extensions of time for coursework and rescheduling of tests and examinations;
- Allowing a student to sit or stand, or carry or keep water nearby;
- Counseling;
- Changes in physical space or supplies; or,
- Elevator access.

To request a reasonable modification, students

must contact SASS. SASS will meet with the student to discuss options and then will facilitate an interactive process. For academic modifications, SASS will facilitate an interactive process between a faculty member and the student seeking a modification, and, if needed, the chair of the department. SASS will determine which reasonable modifications must be provided to a student. Modifications are not reasonable if they would fundamentally alter the nature of an EWU program or activity.

If a student disagrees with the appropriateness of a modification, they can follow the grievance process set forth in section 3-3 of EWU Policy 402-03 (Accommodating Persons with Disabilities).

2-5. Child Care Options, Scholarships, Housing & Medical Resources

EWU contracts with the YMCA to provide child care opportunities on the Cheney campus. Information is available at:

<https://ymcaspokane.org/locations/ewu-childrens-center/>

H.O.M.E. (Helping Ourselves Means Education) is a program connecting student parents with campus and community resources. H.O.M.E. also provides scholarship opportunities for students to assist with daycare expenses. The H.O.M.E. program is affiliated with the Women's and Gender Education Center.

3 – BREASTFEEDING & LACTATION ROOMS

3-1. Lactation/Family Nurturing Rooms

EWU has several lactation/family nurturing rooms on campus available to students, employees, and visitors:

- Pence Union Building (keys are available through the PUB Welcome Desk on the 2nd floor)
- Patterson Hall L231B
- Showalter Hall 202 (key is available in Human Resources, 314 Showalter Hall)
- Williamson Hall 100A
- JFK Library
- Spokane WSU Campus- Academic Center 145B
- Catalyst building ground level

Employees can work with Human Resources to identify alternative private locations on campus that are not bathrooms in accordance with RCW 43.10.005 if the locations above do not meet their needs. Students can work with SASS to identify alternative private locations on campus if the locations above do not meet their needs.

3-2. Breastfeeding

As a place of public accommodation, Washington law permits students and visitors to breastfeed in public.

3-3. Nursing Mother Breaks

Employees are entitled to take reasonable break times to express breast milk for a nursing child each time the employee has need to express milk for up to two years after the child's birth. Employees who need breaks and/or a location to express breast milk should work with Human Resources and/or their supervisors to accommodate the employees' needs.

Students may request a modification under section 2-4 to accommodate their needs to express breast milk.

4 - PREGNANT EMPLOYEES

4-1. Accommodations- Provided Upon Request

Pregnant employees may request certain changes to their working environment to accommodate their pregnancy. Upon request, EWU will provide reasonable accommodations to pregnant employees including:

- Frequent, longer, or flexible restroom breaks
- Modification of a no food or drink policy
- Job restructuring, part-time or modified work schedules, reassignment to a vacant position, or acquiring or modifying equipment, devices, or an employee's work station
- Providing seating or allowing employee to sit more frequently if a job requires standing
- Providing for a temporary transfer to a less strenuous or less hazardous position
- Providing assistance with manual labor and limits on lifting
- Scheduling flexibility for prenatal visits

4-2. Accommodations- Interactive Process

Pregnant employees who need additional accommodations beyond what is identified in section 4-1 should contact the Senior Director of Human Resources, Showalter Hall 314, (509) 359-2384, to initiate the reasonable accommodations

process. The process for seeking an accommodation is contained in EWU Policy 402-03 (Accommodating Persons with Disabilities).

The Senior Director of Human Resources may request a written note from a health care professional outlining the need for additional accommodations for a pregnant employee.

4-3. Need for Leave During Pregnancy

Employees who need leave from work for a pregnancy-related reason have several leave options available. Leave options are outlined in relevant collective bargaining agreements or EWU Policy 406-01 (Exempt Employment). In addition, if an employee has a serious medical condition or needs to care for a family member with a serious medical condition, leave may be available under EWU Policy 403-03 (Family & Medical Leave). Shared leave may be available for employees who are sick or temporarily disabled because of a pregnancy-related medical condition or miscarriage. Additional information about shared leave is available in EWU Policy 403-02 (Shared Leave).

Leave options for an employee after childbirth are identified in the next chapter.

5 - PARENTAL LEAVE FOR EMPLOYEES

5-1. Family Medical Leave Act

Under the Family Medical Leave Act (FMLA), employees who meet certain eligibility criteria may be entitled to 12 weeks of unpaid leave for the birth and care of a newborn child or the placement for adoption or foster care of a child. Such leave must be taken within the first twelve months from the date of birth or placement of the foster or adopted child. Detailed information about family and medical leave are available in EWU Policy 403-03 (Family & Medical Leave).

5-2. Paid Family Medical Leave

Under Washington State's Paid Family Medical Leave Act (PMFL), employees may be eligible to receive partial pay for a limited period of time in the event of a serious health condition of a family member or to bond with an employee's child during the first 12 months after the child's birth or placement of a child under the age of 18 with the employee.

More information about PFML is available in chapter two of EWU Policy 40-303 (Family & Medical Leave).

5-3. Shared Leave

Shared leave may be available for up to sixteen weeks for employees who need time to bond and care for a newborn child after birth or after placement for adoption or foster care. Additional leave about shared leave options is available in EWU Policy 403-02 (Shared Leave).

5-4. Other Leave Options

Other leave options may be available. Employees should check their applicable collective bargaining agreement or EWU Policy 406-01 (Exempt Employment).

6 - DISCRIMINATION OR CONCERNS

EWU prohibits discrimination on the basis of sex, pregnancy or related conditions, parental, or familial status. EWU's policy against discrimination is EWU Policy 402-02 (Diversity & Nondiscrimination). Persons who believe they have been discriminated against on the basis of sex, pregnancy, parental, or familial status can contact:

Title IX Coordinator

(509) 359-6724

titleix@ewu.edu

Director of Civil Rights Investigations & Accessibility

(509) 359-6612

eoaa@ewu.edu