



e-Alert – South Carolina Enacts Pregnancy Accommodation Law

Effective immediately, South Carolina recently enacted a law to prohibit discrimination against employees with medical needs due to pregnancy, childbirth, or related conditions. The South Carolina Pregnancy Accommodation Act amends the state's Human Affairs Act and expands upon the federal Pregnancy Discrimination Act. Additionally, like other state pregnancy accommodations, this law expands upon the federal Americans with Disabilities Act, which currently does not cover pregnancy.

What employers need to know

The [new law](#), which affects South Carolina employers with 15 or more employees, prohibits employers from failing or refusing to make reasonable accommodations for pregnancy-related medical needs, including lactation. Employers who wish to refuse requested accommodations must demonstrate that the accommodation would create an undue hardship on their organization.

Examples of reasonable accommodations include providing more frequent or longer break periods; allowing more frequent bathroom breaks; modifying the company's food or drink policy; modifying work schedules; providing job restructuring or light-duty work, if available; and temporarily transferring the employee, if qualified, to a less strenuous or hazardous vacant position.

Employer next steps

Covered employers must comply with the law immediately. They must post a notice in their place of business and provide the same written notice outlining their protections to all employees by September 14, 2018, and to all new hires after that date. The [South Carolina Human Affairs Commission](#) will provide a model notice for employers in the coming weeks.

Employers should review their current policies related to nondiscrimination and pregnancy to ensure they are compliant with the new law, and train managers on how to spot and manage accommodation requests, such as light-duty work, for example. If you have questions about the new regulations or need assistance updating your policies, please [contact us](#).

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