

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2897

By: Inman

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6 AS INTRODUCED

7 An Act relating to labor; creating the Reasonable
8 Accommodations for Pregnant Workers Act; providing
9 for certain accommodations for certain employees;
10 providing for confidentiality of requests; defining
11 terms; providing for codification; providing for
12 noncodification; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law not to be
15 codified in the Oklahoma Statutes reads as follows:

16 This act shall be known and may be cited as the "Reasonable
17 Accommodations for Pregnant Workers Act".

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 436 of Title 40, unless there is
20 created a duplication in numbering, reads as follows:

21 A. An employer shall make a reasonable accommodation to
22 transfer a pregnant employee to an available position if the
23 employer or employee reasonably believes that the continued
24 employment in her current position may cause injury to the employee
or the fetus.

1 B. An employer shall make a reasonable accommodation for an
2 employee who has limitations in her ability to work, documented by a
3 health care provider, that occur from pregnancy, childbirth or
4 related medical conditions, unless the reasonable accommodation
5 would impose an undue hardship on the employer.

6 C. Peace officers and firefighters who are pregnant shall be
7 temporarily transferred to a less-strenuous or less-hazardous
8 position if they request a transfer based on the advice of their
9 health care provider and if the request can be achieved through a
10 reasonable accommodation.

11 D. All records and information relating to a request for a
12 reasonable accommodation shall be confidential and shall not be open
13 to the public.

14 E. As used in this section:

15 1. "Employer" means a person engaged in business who has one or
16 more employees, including the state and any political subdivision of
17 the state;

18 2. "Employee" means any person engaged in service to an
19 employer in the business of the employer;

20 3. "Reasonable accommodation" means any accommodation or effort
21 that would not impose an undue hardship on the operation of the
22 employer's business; and

23 4. "Undue hardship" means any action that requires significant
24 difficulty or expense when considered in relation to factors such as

1 the size of the business, its financial resources and the nature and
2 structure of its operation.

3 SECTION 3. This act shall become effective November 1, 2016.
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