

SOUTHWEST TENNESSEE COMMUNITY COLLEGE**SUBJECT: Pregnancy, Childbirth, and Related Medical Conditions****EFFECTIVE DATE: October 5, 2026****Purpose**

The purpose of this policy is to provide guidance for Southwest Tennessee Community College (“Southwest” or “the College”) employees who need accommodations regarding pregnancy, childbirth, and related medical conditions. It is intended to comply with Title IX and the regulations of the Tennessee Board of Regents (TBR). It is not the maternity, parental, or sick leave policy (See TBR [5.01.01.08](#), [5.01.01.14](#), and [5.01.01.07](#) for those matters).

Definitions

Known Limitation- a physical or mental condition related to, affected by, or arising out of pregnancy, childbirth or related medical conditions that the employee or the employee’s representative has communicated to the College, whether or not such condition constitutes a disability under the Americans with Disabilities Act (ADA).

Employee- someone already employed by the College or an applicant who, either with or without reasonable accommodation, can perform the essential functions of the position. An employee or applicant is considered qualified if any inability to perform an essential function is for a temporary period, the essential function can be performed in the near future, and the inability to perform the essential function can be reasonably accommodated.

- This policy applies to all qualified employees of the College, whether full-time or part-time; whether faculty, adjunct, or staff; and regardless of length of employment.
- A qualified applicant is considered as a qualified employee for purposes of this policy.

Reasonable Accommodation- a modification or adjustment to a job or the work environment that will enable a qualified employee to perform the essential functions of the job. (Unlike the ADA, reasonable accommodation under this policy may include temporarily relieving a qualified employee of an essential function of the job.) If multiple reasonable accommodations are available, the College may select among reasonable accommodations. A reasonable accommodation may include, but is not limited to, making existing facilities accessible, leave, job restructuring, a part-time or modified work schedule, acquiring or modifying equipment, changing, or making exceptions to a policy, and reassignment to a vacant position.

Related medical condition- any illness, complication, or symptoms arising out of pregnancy or childbirth. Examples of related medical conditions include, but are not limited to, morning sickness, gestational diabetes, pregnancy-induced hypertension, miscarriage, sciatica, lactation, or the need to express breast milk, medical procedures and recovery, physical injuries from childbirth, and postpartum depression.

Policy

I. Nondiscrimination in General

- A. Discrimination or harassment based on current, potential, or past pregnancy, or related medical condition, is prohibited sex discrimination. Complaints of discrimination or harassment based on any alleged violation of this policy should be submitted to the Title IX Coordinator (contact information on the last page of this policy) and will be investigated pursuant to TBR Guideline [P-080 Discrimination & Harassment- Complaint Investigation Procedure](#) or TBR Policy [6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct](#).
- B. Retaliation against someone who requests reasonable accommodation for pregnancy, childbirth, or a related medical condition or who files a complaint based on pregnancy is prohibited. Retaliation complaints will be investigated under TBR Guideline [P-080 Discrimination & Harassment- Complaint Investigation Procedure](#) or TBR Policy [6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct](#).
- C. Southwest will treat employees who are temporarily unable to perform their job duties or participate in educational programs due to pregnancy, childbirth, or related medical conditions the same as non-pregnant employees who are similar in their ability or inability to work or participate in educational activities, for example with respect to temporary and light duty assignments.

II. Reasonable Accommodation on the Basis of Pregnancy, Childbirth, and Related Medical Conditions

Anyone seeking reasonable accommodation under this policy should contact the College's Title IX Coordinator. Employees are required to participate in an interactive process to determine reasonable accommodation. A request for accommodation may be made orally or in writing; however, the request will need to be memorialized electronically for record keeping.

- B. Anyone with regular supervisory responsibilities over an employee who learns from the employee or employee's representative about a potential need for reasonable accommodation due to pregnancy, childbirth, or related medical conditions must inform the employee or representative how to request a reasonable accommodation and must inform the Title IX Coordinator about the employee's need for potential accommodation.

Southwest will make reasonable accommodation for known limitations of a qualified employee related to pregnancy, childbirth, or related medical conditions. The College and

its employees must engage in a good faith, interactive process to identify a reasonable accommodation.

- E. The College may deny reasonable accommodation if it would result in undue hardship to the College. The Office of General Counsel must be consulted prior to denying a reasonable accommodation based on undue hardship.

Any request for documentation for pregnancy, childbirth, or a related medical condition must be made by the College's Title IX Coordinator or Office of People and Culture (HR). They may ask only for documentation that is reasonable under the circumstances to determine reasonable accommodation, and any request must comply with the limitations on requests for information in TBR Policy [5.01.01.14 Family, Medical, and Service Member Leave](#).

- G. Southwest will not:

1. Require a qualified employee to accept reasonable accommodation other than one arrived at through an interactive process;
2. Deny equal employment opportunities to a qualified employee based on the need to make reasonable accommodation; or
3. Take adverse action against a qualified employee because the employee requested or used reasonable accommodation or otherwise retaliate against an individual in violation of applicable law.

- H. A qualified employee may elect to take leave in accordance with TBR Policy [5.01.01.08 Parental Leave](#) or TBR Policy [5.01.01.14, Family, Medical, and Service Member Leave](#). The College will not require a qualified employee to take leave, whether paid or unpaid, if another reasonable accommodation can be provided. The Office of People and Culture (HR) is responsible for coordinating leave under various policies as stated in TBR policy [Pregnancy, Childbirth, and Related Medical Conditions 6.04.00.00](#).

- I. If an employee who is pregnant, gives birth, or has a related medical condition does not have enough leave or does not qualify for leave, the College must allow the employee to take unpaid leave for a reasonable period of time for pregnancy, childbirth, or a related medical condition, after which the employee must be reinstated to the status held when the leave began or to a comparable position without decrease in pay, loss of promotional opportunity, or other right or privilege of employment.

- J. Reasonable accommodation, including unpaid leave, pursuant to this policy is available only to qualified employees who are pregnant, have given birth, or have a pregnancy-related condition. Leave for family members may be available pursuant to TBR Policy [5.01.01.08, Parental Leave](#) or TBR Policy [5.01.01.14, Family, Medical, and Service Member Leave](#).

III. Lactation

- A. Southwest will provide space other than a restroom to express milk.
- B. The College will provide a reasonable amount of break time, as frequently as needed by the nursing mother, to express milk. Breaks must be provided for one (1) year following birth, and any employee who wishes to continue expressing breastmilk for over one (1) year should contact the Title IX Coordinator to discuss additional time to provide breaks.

Employees taking breaks to express milk shall be compensated in the same manner as other employees are compensated during break time. No deduction may be made from an exempt employee's salary. No deduction from a non-exempt employee's pay is permitted unless the Title IX Coordinator has approved in advance.

- D. Individuals may report violations of this policy to the Title IX Coordinator using the contact information below.

IV. Parental Leave

For information regarding parental leave, review TBR policy [5.01.01.08, Parental Leave](#). The policy provides details regarding a period of up to four (4) months of parental leave to eligible employees for pregnancy, childbirth and nursing the infant, where applicable, in accordance with T.C.A. § 4-21-408.

At Southwest, the Title IX Coordinator is the Chief of Staff
 Email notice to: chiefofstaff@southwest.tn.edu
 Contact the Title IX Coordinator at: 901-333-5005

Source of Policy: n/a

Responsible Chief of Staff;
 Administrator: VP of People and Culture

Related Policy: 3:06:00:00/24

TBR Policy Reference: 5.01.01.08;
6.04.00.00



President

Date: October 5, 2026