



HR AND WORKFORCE POLICY SERIES

CEA PWFA Response Playbook

A practical operating guide for Christian employers

MEMBERS ONLY

Use this guide to recognize, route, evaluate, document, and respond to workplace accommodation requests involving pregnancy, childbirth, or related medical conditions. It is designed for managers and HR leaders; it is not legal advice.

How to use this guide

A request may reach a frontline supervisor before HR ever hears about it. The safest response is prompt recognition, a neutral acknowledgment, limited information gathering, and a documented interactive process. Most routine requests can be handled quickly. Higher-risk matters should be reviewed by qualified counsel before a decision is communicated.

THE OPERATING RULE

Do not begin by deciding whether the request is legitimate. Begin by identifying the work-related limitation, what change is needed, how long it may be needed, and whether an effective accommodation can be provided without undue hardship.

What this guide covers

- ▶ How to recognize a PWFA request, including an oral or indirect request.
- ▶ What a manager should say and do in the first conversation.
- ▶ When medical documentation may -- and may not -- be requested.
- ▶ How to evaluate temporary changes to essential job functions, leave, schedules, telework, light duty, and reassignment.
- ▶ How to document the interactive process, preserve confidentiality, and avoid retaliation.
- ▶ When a religious-liberty question or another high-risk issue requires counsel.

Who is generally covered

The federal PWFA generally applies to private and public employers with 15 or more employees, as well as employment agencies, labor organizations, Congress, and federal agencies. State or local law may apply to smaller employers or provide broader protection. The PWFA applies to qualified employees and applicants with a known limitation related to, affected by, or arising out of pregnancy, childbirth, or a related medical condition.

This guide states federal baseline rules. Always check the law where the employee works, along with applicable leave, paid sick time, lactation, disability, workers' compensation, and safety requirements.

The first response

A manager script

SAY THIS

"Thank you for telling me. I want to make sure we respond promptly and handle your information appropriately. I will connect you with HR so we can understand the work change you need and discuss next steps."

Then take these steps

- 1 Listen without testing the request.** Do not debate whether the employee is entitled to an accommodation, ask for a diagnosis, or make assumptions about what the employee can do.
- 2 Capture only the essentials.** Record the date, who communicated the request, the limitation as described, the work change requested, and any immediate timing or safety concern. Use the employee's words as closely as possible.
- 3 Route promptly.** Send the request to the designated HR contact the same business day when practicable. Managers should not approve or deny anything beyond an established, low-risk temporary adjustment they are authorized to provide.
- 4 Protect confidentiality.** Share information only with people who need it to evaluate or implement the accommodation. Do not discuss the condition with coworkers.
- 5 Prevent harm while review is pending.** If a delay could worsen the employee's health, create a safety concern, or prevent the employee from working, HR should consider an interim accommodation unless it would create an undue hardship.

A request does not need legal language

The employee does not need to say "PWFA," "reasonable accommodation," or even identify a diagnosis. A request is triggered when the employee -- or the employee's representative -- communicates a pregnancy-, childbirth-, or related-condition limitation and a need for a change at work. The request may be oral, written, or conveyed through a family member, health care provider, union representative, or other representative.

Do not say

- We cannot make exceptions.
- You need a doctor's note before we can talk.
- You should take leave.
- This job may be too demanding while you are pregnant.
- We treated someone else the same way, so this is final.

The response workflow

Phase	Required action	Record
1 Recognize	Identify a possible PWFA request and acknowledge it neutrally.	Contemporaneous intake note
2 Stabilize	Address urgent health, safety, scheduling, or access needs; consider an interim measure.	Interim-action note
3 Clarify	Discuss the limitation, requested change, duration, and possible alternatives.	Interactive-process notes
4 Verify only if permitted	Request limited supporting documentation only when reasonable under the circumstances.	Request and response, stored confidentially
5 Analyze	Confirm essential functions; assess effectiveness, temporary suspension, alternatives, and undue hardship.	Accommodation analysis
6 Check intersections	Review state law, FMLA, ADA, Title VII/PDA, PUMP Act, paid leave, workers' compensation, and policy.	Issue checklist
7 Decide and communicate	Provide an effective accommodation or explain the decision and any alternative offered.	Written confirmation
8 Implement and revisit	Tell only those who need implementation details; monitor effectiveness and changed circumstances.	Implementation and follow-up log

Timing

The PWFA requires a prompt response but does not impose universal five-day or fifteen-day decision deadlines. CEA recommends same-business-day routing, prompt acknowledgment, and steady follow-up. Simple requests often can be resolved in one or two exchanges. More complex requests may take longer, but silence or unexplained delay creates risk -- especially when an interim accommodation could keep the employee working.

INTERNAL TARGET, NOT A STATUTORY DEADLINE

Acknowledge promptly; contact the employee within two business days when practicable; schedule any needed discussion without unnecessary delay; and provide written status updates if a final decision is still pending.

Information and medical documentation

Start with a conversation

Many PWFA requests require no medical documentation. HR may ask focused questions about the work-related limitation, the adjustment needed, and the expected duration. Do not ask for complete medical records, genetic information, unrelated diagnoses, or information beyond what is reasonably necessary.

Do not request documentation when

- ▶ The limitation and need for the work change are obvious.
- ▶ The employer already has sufficient information.
- ▶ A pregnant employee requests water, food or drink breaks, restroom breaks, the ability to carry water, or the ability to sit or stand as needed.
- ▶ A lactating employee requests modifications to pump at work or nurse during work hours.
- ▶ The employer normally would not request documentation from an employee in the same situation under its own policy.

When documentation may be reasonable

If the limitation or need is not obvious or already known, documentation may be requested when reasonable under the circumstances. The request should seek only the minimum sufficient information to:

- ▶ Confirm the physical or mental condition; a specific diagnosis is not required.
- ▶ Confirm that the condition is related to, affected by, or arising out of pregnancy, childbirth, or a related medical condition.
- ▶ Describe the work adjustment needed and, when relevant, its expected duration.

IMPORTANT

Do not require an examination by a health care provider chosen by the employer. Do not delay a simple accommodation merely because paperwork is pending when the available information is already sufficient.

Evaluating the accommodation

Begin with effectiveness

The employee's preferred accommodation should be considered first, but the employer may offer another effective accommodation. Do not require the employee to accept an accommodation that was not reached through the interactive process. Do not force leave if another reasonable accommodation would allow the employee to keep working.

Common accommodations

Request	Questions to evaluate	Common alternatives
Breaks; water; food; restroom; sitting or standing	Can the request be implemented immediately? Is any documentation prohibited?	Short or flexible breaks; workstation change; relief coverage
Schedule change or reduced hours	What timing and duration are needed? Are shift swaps or flexible start times workable?	Later start; shorter shift; part-time schedule; temporary schedule
Telework	Which duties require presence? Can work be performed effectively from another location for a limited time?	Hybrid schedule; temporary telework; reassignment of location-specific tasks
Light duty or lifting restriction	Which tasks are affected? Can equipment, team lifting, task exchange, or temporary reassignment address the limitation?	Equipment; job restructuring; temporary reassignment; light duty
Leave	Is leave requested, or is it being imposed? Is there a likely return date? What other effective accommodation could keep the employee working?	Intermittent leave; reduced schedule; finite leave; temporary reassignment
Uniform or safety equipment	Is properly fitting equipment available? Would an alternative meet the same safety requirement?	Larger uniform; alternate PPE; temporary equipment change

Safety concerns

Do not exclude an employee based on generalized concern for the employee or pregnancy. Identify the actual work requirement or safety standard, consider accommodations, and obtain legal review before relying on a safety-based restriction that the employee has not requested.

Essential functions and temporary suspension

The PWFA differs from the ADA in an important respect: an employee may remain "qualified" even when temporarily unable to perform one or more essential functions, if the inability is temporary, the function can be performed in the near future, and the inability can be reasonably accommodated. A blanket rule that essential functions can never be suspended is unsafe.

Use this analysis

- 1 Confirm the function.** Use the actual job -- not merely an old job description. Consider the reason the position exists, time spent on the function, consequences if it is not performed, current practice, and the experience of incumbents.
- 2 Determine the expected period.** Ask for the estimated duration only when needed and permitted. For a current pregnancy, the EEOC rule generally treats "in the near future" as within 40 weeks from the start of the temporary suspension. Other situations require a case-specific assessment.
- 3 Test ways to cover the function.** Consider temporary reassignment of the function, schedule changes, equipment, assistance, temporary transfer, or leave.
- 4 Evaluate undue hardship.** Assess the specific accommodation and actual operational impact. Do not rely on inconvenience, coworker resentment, or speculation.
- 5 Set a review date.** Temporary accommodations should have a follow-up date without requiring the employee to start over each time circumstances change.

Undue hardship factors

- ▶ Nature and net cost of the accommodation, including available outside funding or tax incentives.
- ▶ Overall financial resources, number of employees, and effect on expenses and resources.
- ▶ Overall size, type, location, and structure of the operation.
- ▶ Actual impact on operations, including the ability of other employees to perform their duties and the employer's ability to conduct business.
- ▶ For temporary suspension of an essential function: length of suspension, availability of other work, prior temporary suspensions, and whether the function can be performed by others or postponed.

COUNSEL REVIEW

Obtain counsel review before denying a request because an essential function cannot be suspended or because an accommodation allegedly creates undue hardship.

Faith based employers and religious liberty

Do not treat the PWFA as containing a blanket religious-employer exemption

The PWFA states that it is subject to Title VII's religious-employment provision in 42 U.S.C. § 2000e-1(a). That provision can protect qualifying religious organizations in employment decisions involving individuals of a particular religion. Its reach depends on the employer, the role, the employment practice, and the facts. Other protections -- including the First Amendment, the ministerial exception, and the Religious Freedom Restoration Act -- may also apply in a particular case.

These protections are important, but they should not be invoked casually or described as an automatic exemption from every PWFA accommodation duty. CEA members should involve qualified counsel before relying on religious status, doctrine, or a faith-based employment standard as a basis for denying, modifying, or conditioning an accommodation.

Escalate immediately when a request involves

- ▶ A conflict with a documented statement of faith, religious conduct standard, ministry qualification, or sincerely held religious practice.
- ▶ Abortion, fertility treatment, contraception, gender identity, or another issue on which federal regulations, court orders, state law, or CEA member protections may interact.
- ▶ A ministerial role or an employee whose duties include teaching, leading, or carrying out the organization's faith.
- ▶ A request to alter religious messaging, worship, pastoral care, sacramental practice, or mission delivery.
- ▶ A proposed response that will expressly cite religious doctrine or religious-employer status.

CURRENT LEGAL NOTE

A federal court vacated the portion of the EEOC's PWFA rule requiring accommodation of elective abortion. That ruling does not resolve every issue under Title VII, state or local law, or organization-specific injunctions and defenses. Contact CEA counsel before responding to an abortion-related request.

Documentation and confidentiality

Create a clean decision record

The file should show what was requested, what information was available, how the parties communicated, what options were considered, why the selected accommodation was effective, and -- if a request was denied -- what specific facts supported the decision and what alternatives were offered.

Confidential medical or accommodation file	Ordinary personnel or operations records
Request and intake note	Performance reviews created in the ordinary course
Medical or supporting documentation	Discipline supported and documented independently
Interactive-process notes	Schedules showing the approved arrangement without unnecessary medical detail
Accommodation and undue-hardship analysis	Payroll or time records needed to administer leave or schedule changes
Decision and follow-up records	General policy acknowledgments and training records

Need to know means need to know

Managers may need to know the schedule, task, break, equipment, or leave arrangement they must implement. They generally do not need the diagnosis or medical history. Coworkers should be told only that the organization addresses employee matters confidentially and cannot discuss another employee's situation.

Write facts, not reactions

Use	Avoid
Employee requested a temporary lifting restriction through October 15.	She cannot handle the job now that she is pregnant.
We discussed three effective options on September 8.	We cannot keep making exceptions.
The requested schedule would leave the licensed function uncovered from 6 to 8 a.m.; we offered a 7 a.m. start with coverage.	The request is too disruptive.
We will review the arrangement on October 1 or sooner if circumstances change.	This is the last accommodation we will provide.

Consistency without rigid outcomes

Consistency means using the same fair process -- not automatically giving every employee the same result. Different jobs, limitations, durations, worksites, and operational facts can support different outcomes. A "no exceptions" rule, an inflexible leave cap, or automatic denial of telework or light duty can conflict with the required individualized assessment.

Before denying a request

- ▶ Review comparable accommodations, temporary assignments, schedule exceptions, telework arrangements, and light-duty practices.
- ▶ Confirm that distinctions are based on documented job or operational facts rather than pregnancy, assumptions, or a desire to avoid precedent.
- ▶ Check whether the employer has accommodated nonpregnant employees similar in their ability or inability to work; Title VII's Pregnancy Discrimination Act may apply even when the PWFA analysis differs.
- ▶ Confirm that the employee was not pushed onto leave when another effective accommodation was available.
- ▶ Review timing for retaliation risk if the employee recently requested an accommodation, complained, participated in an investigation, or opposed discrimination.
- ▶ Ask counsel to review the proposed denial and any communication touching discipline, discharge, or religious conflict.

Performance and discipline

A PWFA request does not erase legitimate performance or conduct expectations. Continue to document issues in the ordinary course, but separate them from medical information, apply standards consistently, and confirm that the alleged problem was not caused by a missing or delayed accommodation. Obtain counsel review before taking adverse action while a significant accommodation issue is unresolved.

High risk escalation guide

Trigger	Immediate action
Attorney, EEOC charge, agency inquiry, demand letter, or litigation threat	Stop substantive communication; preserve records; contact counsel the same business day.
Termination, layoff, demotion, discipline, failure to hire, or rescinded offer	Do not finalize action until accommodation and retaliation issues are reviewed.
Denial based on essential functions, safety, or undue hardship	Complete the written analysis and obtain counsel review before communicating denial.
FMLA exhaustion, fixed leave cap, uncertain return date, or repeated extensions	Analyze PWFA, ADA, state law, and policy together; do not treat FMLA exhaustion as automatic termination.
Religious conflict, abortion, fertility treatment, contraception, or ministerial role	Contact CEA counsel before asking detailed questions or stating a position.
Manager already denied, made a promise, disclosed information, or commented on pregnancy	Preserve the communication; avoid corrective improvisation; contact HR and counsel.
Workplace injury, chemical exposure, infection control, or safety-sensitive role	Address immediate safety, avoid paternalistic exclusion, and coordinate applicable laws.
Possible retaliation or inconsistent comparator treatment	Preserve comparator records and obtain legal review before adverse action.

What to send counsel

- ▶ The employee's request and any supporting documentation.
- ▶ A chronology of communications and interim steps.
- ▶ The current job description and a plain-language explanation of actual duties.
- ▶ Alternatives considered and why each would or would not be effective.
- ▶ Specific undue-hardship facts, not conclusions.
- ▶ Relevant policies, comparable requests, leave history, and any pending performance action.
- ▶ The proposed response -- unsent.

Manager intake checklist

Complete only what the employee or representative communicates. Do not seek medical details beyond this form. Send the completed form to HR and store it as directed.

Employee or applicant name

Date and time received

Person receiving the request

Person making the request, if not the employee

Exact words used or attached communication

Work change requested

When the change is needed

Any immediate health or safety concern

Interim step taken, if any

Date and time sent to HR

Manager confirmation

- ☐ I did not promise approval or communicate a denial.
- ☐ I did not request a diagnosis or medical records.
- ☐ I limited disclosure to those responsible for review or immediate implementation.
- ☐ I preserved the employee's written communication and my contemporaneous notes.

HR accommodation analysis worksheet

1 Request — What limitation and work change were communicated? By whom and when?

2 Immediate need — Is an interim accommodation needed while review continues?

3 Information — Is the information sufficient? If not, is documentation legally permissible and what minimum information is needed?

4 Essential functions — Which actual duties are implicated? What evidence supports that they are essential?

5 Options — What accommodation did the employee request? What other effective options were discussed?

6 Temporary suspension — Is an essential function temporarily affected? For how long? How could it be covered, reassigned, or postponed?

7 Undue hardship — What specific cost or operational facts apply to each option?

8 Other laws — What state/local law, FMLA, ADA, PDA, PUMP Act, leave law, safety rule, or policy also applies?

9 Consistency — What comparable situations exist and what material facts distinguish them?

10 Religious issues — Does the request intersect with doctrine, faith-based standards, ministry roles, abortion, fertility treatment, or existing CEA protections?

11 Decision — What effective accommodation will be provided? If not the requested option, why is the alternative effective?

12 Follow-up — Who will implement it, what will managers be told, and when will effectiveness be reviewed?

Model communications

Acknowledgment

TEMPLATE

Thank you for speaking with us on [date]. We understand that you are requesting [work change] because of a limitation related to pregnancy, childbirth, or a related medical condition. We are beginning the interactive process and will contact you by [date] to discuss the request. While we review it, [interim arrangement, if any]. Please tell [HR contact] promptly if your needs or circumstances change.

Approval or agreed accommodation

TEMPLATE

Following our discussions on [dates], we will provide this accommodation beginning [date]: [specific arrangement]. [Contact] will coordinate implementation. We will review the arrangement on [date]. Contact us sooner if it is not effective or your needs change. Medical information will remain confidential and will be shared only as needed for administration.

Alternative accommodation

TEMPLATE

You requested [requested accommodation]. We discussed [options]. We are offering [alternative] because it will address the limitation by [explain]. The requested option was not selected because [specific facts]. Please contact [HR contact] by [date] to confirm whether the alternative is effective or to provide additional information.

Status update

TEMPLATE

We are continuing to review your request and are currently [next step]. We expect to update you by [date]. In the meantime, [interim arrangement]. Contact [HR contact] if it is not effective or your circumstances change.

Proposed denial

Do not use a generic denial template. A denial should identify the request, summarize the interactive process, explain the specific facts supporting the decision, address alternatives, invite correction of missing information, and identify a contact for further discussion. Have counsel review the letter before it is sent.

Final quality check

- ☐ Did we recognize and route the request promptly?
- ☐ Did we consider an interim accommodation?
- ☐ Did we avoid requesting prohibited or excessive medical documentation?
- ☐ Did we discuss the employee's requested accommodation and effective alternatives?
- ☐ Did we evaluate temporary suspension of essential functions correctly?
- ☐ Did we avoid forcing leave when another effective accommodation could permit work?
- ☐ Is every undue-hardship conclusion supported by specific facts?
- ☐ Did we check state and local law and other federal laws?
- ☐ Did we protect medical confidentiality and limit manager disclosures?
- ☐ Did we review comparable situations and retaliation risk?
- ☐ Did qualified counsel review any high-risk issue before the response was sent?
- ☐ Did we set an implementation owner and follow-up date?

BEFORE YOU ACT

This guide supports sound process; it does not determine the answer in a specific case. Contact CEA for connection to qualified counsel before denying a high-risk request, invoking religious protections, or taking adverse action involving an employee with an active or recent accommodation matter.

Legal sources and update notes

- Pregnant Workers Fairness Act, 42 U.S.C. §§ 2000gg through 2000gg-6.
- 29 C.F.R. Part 1636 and Appendix A, EEOC Interpretive Guidance on the Pregnant Workers Fairness Act.
- U.S. Equal Employment Opportunity Commission, What You Should Know About the Pregnant Workers Fairness Act and Summary of Key Provisions of the Final Rule.
- State of Louisiana v. EEOC, No. 6:24-cv-00647 (W.D. La. May 21, 2025), vacating the final rule to the extent it required accommodation for elective abortion.
- Applicable state and local pregnancy-accommodation, paid leave, lactation, disability, and antidiscrimination laws.

Legal status reviewed through September 20, 2026. Because agency rules, court orders, and state laws can change, CEA should update this guide when a material development occurs.

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