


October 21, 1975

M E M O R A N D U M

TO: The Evergreen Community

FROM: Rindetta Jones, Director   
Equal Opportunity/Affirmative Action

RE: Pregnancy and Maternity Leave Policy

The Affirmative Action Plan (Human Rights Policy) for the college has been reviewed by the Higher Education Personnel Board and received rather favorable comments. However, a part of the document, as delineated by the Higher Education Personnel Board, must include a carefully spelled out Pregnancy and Maternity Leave Policy. I asked several people to serve on a DTF to review the document I wrote. Attached is the final result of their careful deliberations which I feel will be acceptable to the Higher Education Personnel Board. However, the policy must be reviewed and approved by the Board of Trustees.

In the meantime, since the policy is one for our entire workforce, I am asking that you submit comments, suggestions and reactions in writing to me no later than Wednesday, ~~October 29, 1975~~.

NOV. 12, 1975

RJ/jp

cc: President McCann  
Jeanne Hahn  
Robert Arthur Hanna  
Don Jordon  
Betty Kutter  
Gail Martin  
Elena Perez  
Jerry Schillinger  
Jo Ann Woodall

Members of the Maternity and Pregnancy  
Leave DTF

## Pregnancy and Maternity Leave Policy

Many women of childbearing age depend on their job for economic support. Practices such as terminating the employment of pregnant women without cause, refusing to grant leave or accrued sick pay for disabilities relating to pregnancy, or refusing to hire women for responsible jobs because they are, or may become, pregnant, impair the opportunity of women to obtain employment and to advance on the same basis as men. Such practices discriminate against women because of their sex and are prohibited at The Evergreen State College, whether the affected women be in classified service, exempt administrative staff or members of the Faculty.

### Purposes

Federal and State Laws against discrimination in employment because of sex are intended to equalize employment opportunity for men and women. This policy defines how the law applies to practices which disadvantage women because of pregnancy or childbirth.

### Hiring Pregnant Women

Appointing authorities will not refuse to hire qualified women because of pregnancy unless the refusal would be reasonable in view of the necessity to conduct business. If an appointing authority elects not to hire qualified women because of pregnancy, the burden shall be on that appointing authority to demonstrate that the decision was based upon justifiable facts concerning her individual ability to perform the job or upon justifiable facts concerning business requirements.

Arguments that may not be used to disqualify pregnant women from employment include, but are not limited to:

- (1) Pregnant women may not return to their former job after childbirth;
- (2) time away from work required for childbearing may increase the College's cost;
- (3) the leave period for childbirth may be unreasonably long;
- (4) pregnant women may be frequently absent from work due to illness; and
- (5) clients, co-workers, or customers may object to having pregnant women on the job.

### Condition of Employment for Pregnant Women

## Leave for Pregnancy

Appointing authorities must provide pregnant women leaves of absence for sickness or incapacity associated with pregnancy and for childbirth.

Leaves of absence for pregnant women may include both paid and unpaid leave. Leaves of absence for maternity will commence upon the request of the employee and extend until the employee is able to return to work. In all instances in which an employee requests maternity leave, the appointing authority may require the employee to provide a statement from a second physician of the College's choice attesting to the need for, and duration of the leave. The College will bear the cost of an examination by a college-designated physician.

An employee is eligible to use earned sick leave credits during maternity leave. In those instances in which an employee's sick leave credits are exhausted prior to her return to work, the employee's status will automatically revert from sick leave to leave of absence without pay. Use of annual vacation leave shall be at the employee's discretion - optional.

Employees returning from an authorized maternity leave of absence must be employed in the same position or in another position in the same class, in the same geographic area and organizational unit, with at least the same pay if the leave of absence was for the actual period of disability relating to pregnancy or childbirth.

## Leave Benefits for Pregnant Women

Illness or absence from work caused or contributed to by pregnancy, miscarriage, spontaneous, therapeutic or voluntary abortion, childbirth, and recovery therefrom are temporary disabilities and are treated as such under the College sick leave policies provided that the case of voluntary abortion care is administered prior to, during and after the abortion by a licensed physician.

## Paternity/Child Care Leave for Fathers

Leave for purposes relating to child care should be considered grounds for such leave, and should be available to men and women on an equal basis. Such leave time should not be counted toward the completion of a term as a probationary employee. Nor should such leave be subtracted from a stated term of appointment, or serve as a basis for non-renewal of contract or being able to return to same position or in another position in the same class.

## Insurance Benefits for Parents

Insurance contributions provided by the College shall be equal for male and female employees.

## Marital Status As Related to Pregnancy

Discrimination against pregnant women because of marital status is prohibited. Discrimination against men because of marital status in regard to paternity is prohibited. The College's sick leave and disability policies including health insurance contributions, apply equally to married and unmarried pregnant women.