



**Let's Be Reasonable:
Best Practices for All Types of
Accommodations in the Workplace**


Marli Cardl – Moderator
Reliance Matrix
August 15, 2023




1



PANELISTS



Carrie French, Esq.
Assistant General Counsel, Employment & Litigation
Cengage Group




Dana McDonald, Esq.
Senior Counsel
Under Armour



Richard J. Mrizek, Esq.
Of Counsel
Jackson Lewis PC



MODERATOR
Marli Cardl, Esq.
Senior Compliance Consultant & Legal Counsel
Reliance Matrix



2




Agenda

- Introductions
- Top accommodation issues
 - ADA accommodations
 - Pregnancy accommodations
 - Religious accommodations
- Open discussion
- Questions




3




Carrie French, Esq.
AGC Employment & Litigation
Cengage Group

Cengage Group is a global education technology company serving millions of learners. We provide affordable, quality digital products and services that equip students with the skills and competencies needed to be job ready. Through trust, transparency and accountability, we are on a mission to reinvent education.

CENGAGE GROUP



4



Dana McDonald, Esq.
Senior Counsel
Under Armour, Inc.




Under Armour is a publicly held, leading inventor, marketer, and distributor of branded athletic performance apparel, footwear, and accessories with the mission to make athletes better.

Under Armour employs 17,000 corporate, retail store (438 stores) and distribution center (3 distribution centers) teammates in North America, Europe, Asia Pacific and Latin America.

<http://about.underarmour.com>




5




Richard J. Mrizek, Esq.
Of Counsel
Jackson Lewis PC

JacksonLewis

Jackson Lewis represents management exclusively in every aspect of employment, benefits, labor, and immigration law and related litigation. With 61 location and more than 950 attorneys, Jackson Lewis offers local knowledge backed by the support of a national firm.



6



RESOURCES – ADA Accommodations


EEOC:

- Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA: <https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada>


Job Accommodation Network (JAN):

- Employers' Practical Guide to Reasonable Accommodation Under the Americans with Disabilities Act (ADA): <https://askjan.org/publications/employers/employers-guide.cfm>

SOAR: Searchable Online Accommodation Resource – searchable by disability): [Accommodation Search \(askjan.org\)](https://askjan.org)




7




RESOURCES – Pregnancy Accommodations

- [Pregnant Workers Fairness Act](#) – 42 U.S.C. § 2000gg et seq.
- [PWFA Proposed Regulations](#)
- [What You Should Know About the Pregnant Workers Fairness Act I \(eeoc.gov\)](#)
- [PWFA Infographic \(eeoc.gov\)](#)
- [Summary of Key Provisions of the EEOC's Proposed Rule to Implement the Pregnant Workers Fairness Act \(PWFA\) I \(eeoc.gov\)](#)




8




RESOURCES – Pregnancy Accommodations

- [Enforcement Guidance on Pregnancy Discrimination and Related Issues | U.S. Equal Employment Opportunity Commission \(eeoc.gov\)](#) (issued before PWFA enacted – expect updates)
- [Employment Issues Related to Pregnancy, Birth and Nursing | U.S. Department of Labor \(dol.gov\)](#) (interactive state map) (issued before PWFA enacted – expect updates)




9



RESOURCES – Lactation Breaks & Accommodations

- [PUMP Act](#) – 29 U.S.C. § 218d
- [FLSA Protections to Pump at Work | U.S. Department of Labor \(dol.gov\)](#)



10



RESOURCES – Religious Accommodations

*Expect updates by EEOC regarding "undue hardship" in light of U.S. Supreme Court decision in **Groff v. DeJoy**, June 29, 2023.*

- EEOC What You Should Know: <https://www.eeoc.gov/wysk/what-you-should-know-about-eeoc-and-religious-discrimination>
- EEOC Compliance Manual on Religious Discrimination: https://www.eeoc.gov/laws/guidance/section-12-religious-discrimination#h_12929403436951610749878556
- Groff v. DeJoy, U.S. Supreme Court June 29, 2023: https://www.supremecourt.gov/opinions/22pdf/22-174_k536.pdf



11



Questions

Thank you!




12
