



THE ASSISTANT SECRETARY OF THE NAVY
(MANPOWER AND RESERVE AFFAIRS)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

JUL 17 2023

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Department of the Navy Interim Guidance for Complying with the Pregnant Workers Fairness Act

On December 29, 2022, the Pregnant Workers Fairness Act (PWFA) was signed into law. PWFA requires employers, such as the Department of the Navy (DON), to provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause an "undue hardship." Although the Equal Employment Opportunity Commission (EEOC) has not yet issued regulations to implement the law, the DON is issuing interim guidance via this memorandum to comply with the PWFA, which is effective June 27, 2023.

The DON will reasonably accommodate employees' known limitations related to pregnancy, childbirth, or related medical conditions through available workplace flexibilities, the reasonable accommodation process, and leave policies. Under the PWFA, accommodations shall be provided, absent undue hardship, to individuals unable to perform the essential functions of a job for a temporary period, so long as the inability to perform the essential function can be reasonably accommodated, and can be performed again in the near future.

Individuals who wish to request an accommodation under the PWFA will need to contact their supervisor and/or their servicing EEO Office, particularly the Reasonable Accommodation Coordinator. As servicing EEO offices will be responsible for overseeing and managing this program, they shall retain all records relating to PWFA accommodation requests in accordance with applicable retention and safeguarding requirements, and report to the DON Office of EEO by December 29, 2023 on the number of PWFA accommodation requests received, the number of requests approved, and the number of requests denied. Further DON guidance regarding processing and records maintenance is pending the release of EEOC regulations.

The EEOC will begin accepting charges and enforcing an employer's compliance under the PWFA on June 27, 2023. PWFA complaints must be brought to the servicing EEO Office within 45 days of the alleged discriminating action for processing.

The DON is steadfast in its efforts to be a model employer and comply with the PWFA. Please disseminate this memorandum throughout all levels of the DON, and contact Ms. Meena Farzanfar, DON Disability Program Manager, at meena.m.farzanfar.civ@us.navy.mil, and your servicing Counsel's Office for any questions concerning the PWFA.

Franklin R. Parker
Assistant Secretary of the Navy
Manpower and Reserve Affairs (M&RA)

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