

## CCS Administrative Procedure

### 2.30.01- H Equal Employment, Non-discrimination and Anti-harassment Pregnancy Procedure for Employees

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Implementing Board Policy [2.30.01](#)

Contact: Human Resources 509-434-5040

#### 1.0 Purpose

Community Colleges of Spokane (CCS) has a responsibility to prevent sex discrimination and ensure equal access to its education programs and activities. As required by Title IX of the Educational Amendments of 1972, this procedure prohibits discrimination against any student, employee, applicant for employment, or anyone who was participating or attempting to participate in CCS' education programs or activities (collectively, CCS Community Members) based on their current, potential, or past pregnancy or related conditions.

For employees who are also students, please see CCS Administrative Procedure 3.30.01-F Non-discrimination and Anti-harassment Pregnancy Procedure for Students.

#### 2.0 Definitions

2.1 **Pregnancy or Related Conditions** means:

2.1.1 Pregnancy, childbirth, termination of pregnancy, or lactation;

2.1.2 Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or

2.1.3 Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

2.2 **Program and Program or Activity** means all of the operations of CCS.

2.3 **Student** means a person who has gained admission to Spokane Community College or Spokane Falls Community College

2.4 **Undue hardship** means significant difficulty or expense considering all CCS resources.

#### 3.0 Employee Responsibility to Inform Students

3.1 CCS has delegated to the Colleges' Title IX Coordinators at SCC and SFCC the responsibility and duties associated with assisting students who are pregnant or who have pregnancy related conditions. The Title IX Coordinators may further delegate specific duties to one or more designees as appropriate. CCS' Title IX Coordinator retains ultimate oversight over these responsibilities.

**SCC Title IX Coordinator**

Main Building (Bldg. 1), Room R228

1810 N. Greene St., MS 2150

Spokane, WA 99217-5399

Phone: 509.533.7015

**SFCC Title IX Coordinator**

Falls Gateway Building (Bldg. 30), Room 225

3410 W. Whistalks Way, MS 3010

Spokane WA 99224-5288

Phone: 509.533.3514

3.2 CCS has the responsibility to promptly and effectively prevent and respond to sex discrimination, including discrimination on the basis of pregnancy or related conditions. When a student informs any CCS employee, including confidential employees, of the student's pregnancy or related conditions, the employee must:

3.2.1 Promptly provide the student, verbally or in writing, the appropriate Title IX Coordinator's contact information, and

- 3.2.2 Inform that student that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to CCS' education programs or activities.
- 3.3 If the employee reasonably believes that the Title IX Coordinator has already been notified of a student's pregnancy or related condition, they are relieved of their responsibility to inform in this instance.
- 3.4 Absent information about conduct that reasonably may constitute sex discrimination, employees should not directly inform the Title IX Coordinator of a student's pregnancy or related conditions.
- 3.5 No CCS employee shall approach a student unprompted and ask about their pregnancy or related condition or make assumptions about a student's needs or medical status.
- 3.6 Nothing under this procedure or Title IX obligates a student to seek reasonable modifications for their pregnancy or related conditions after receiving the Title IX Coordinator's contact information, nor does it obligate the student to accept offered reasonable modifications.

#### **4.0 Process for Employees to Receive Reasonable Accommodations for Pregnancy or Related Conditions**

- 4.1 Under Title IX, CCS treats all employees' pregnancy or related conditions as it does any other temporary medical conditions for all job-related purposes, including duration and extensions of leave, payment of disability income, accrual of seniority and any other benefit of service, reinstatement, and any fringe benefit offered to employees by virtue of employment.
- 4.2 Employees who are pregnant or experiencing related conditions have the right to take leave, including voluntary unpaid leave, as outlined in CCS Administrative Procedures [2.40.01-A](#), [2.40.01-B](#), [2.40.01-C](#), and [2.40.01-D](#) and respective collective bargaining agreements.
- 4.3 Under the [Pregnant Workers Fairness Act \(PWFA\)](#) and [Providing Urgent Maternal Protections for Nursing Mothers Act \(PUMP Act\)](#), CCS offers reasonable workplace accommodations for employees affected by pregnancy, childbirth, or related medical conditions.
- 4.4 CCS will always provide the following reasonable accommodations to employees experiencing pregnancy or related conditions, as needed, without requesting written certification from a healthcare professional:
  - 4.4.1 Providing frequent, longer, or flexible restroom breaks;
  - 4.4.2 Modifying a no food or drink policy;
  - 4.4.3 Providing seating or allowing the employee to sit more frequently;
  - 4.4.4 Refraining from lifting more than 17 pounds; and
  - 4.4.5 Providing reasonable break time for an employee to express breast milk for two years after the child's birth each time the employee has need to express the milk and providing a clean and private location, other than a bathroom, which may be used by the employee to express breast milk.
- 4.5 CCS may provide other reasonable accommodations, some of which may require written certification from a healthcare professional, which may include but are not restricted to:
  - 4.5.1 Job restructuring, including modifying a work schedule, job reassignment, changing a workstation, or providing equipment;

- 4.5.2 Temporary transfer to a less strenuous or hazardous position;
- 4.5.4.3 Scheduling flexibility for prenatal visits; and
- 4.5.4 Any further accommodation the employee may need that does not cause undue hardship.
- 4.6 Under the PUMP Act, the College is not required to compensate an employee receiving reasonable break time for expressing breast milk for any work time spent for such purpose. However, as the time it takes to express breast milk is highly individualized, employees are encouraged to work with Human Resources and/or the Title IX Coordinator to ensure they have the flexibility to express breast milk, as necessary.
- 4.7 Employees who are enrolled in CCS' education programs or activities are eligible to receive reasonable modifications as outlined in CCS Administrative Procedure 3.30.01-F in order to sufficiently allow the employee to continue their educational progress as a student.
- 4.8 CCS will not retaliate against employees affected by pregnancy or related conditions who request one of these changes or deny them employment opportunities if they are otherwise qualified or require them to take leave if an alternative is available.
- 4.9 Additionally, pregnant employees with a pregnancy-related disability may have rights in addition to those listed here. Please refer to CCS Administrative Procedure [2.30.01-B](#) Reasonable Accommodation and Return to Work.

## **5.0 Lactation Space**

- 5.1 CCS has designated lactation space on campus and in district facilities that are not a bathroom, which may be used by any person on campus for pumping or breastfeeding as needed, regardless of a person's gender identity or gender expression.
- 5.2 Any designated lactation spaces will be kept clean, will be private and accessible, and available for use whenever the building or the space is open for use.
- 5.3 While there is lactation space available for use, CCS recognizes that in Washington State, breastfeeding is permitted in any public place.
- 5.4 Breastfeeding is not considered "indecent exposure," and no one may stop another person from breastfeeding, require they cover themselves, move, or leave a public premises because they are breastfeeding.
- 5.5 The decision of where to pump or breastfeed is at the person's discretion, if consistent with Washington State law.

## **6.0 Reporting Violations**

- 6.1 If a CCS Community Member notifies CCS of a failure to implement a reasonable modification or make a lactation space available, CCS will promptly and effectively take additional steps to comply with their Title IX obligation to ensure that its education programs or activities are free from discrimination on the basis of sex, including on the basis of pregnancy or related conditions.
- 6.2 If a CCS Community Member files a complaint regarding the failure to implement a reasonable modification for pregnancy or a related condition or to make a lactation space available, this will constitute a report of sex discrimination, and the investigation procedure outlined in CCS Administrative Procedure [2.30.01 -G](#) will be initiated.

6.3 To report violations of this procedure, contact CCS' Title IX Coordinator or their designee:

**Chief Human Resources Officer/Title IX Coordinator**

501 N Riverpoint Blvd, Suite 126

PO Box 6000, MS 1004

Spokane, WA 99217

(509) 434-5037

[ccs.titleix@ccs.spokane.edu](mailto:ccs.titleix@ccs.spokane.edu)

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