

FAIR EMPLOYMENT & HOUSING COMMISSION

455 GOLDEN GATE AVENUE, SUITE 10600
SAN FRANCISCO, CA 94102-3660
TEL: (415) 557-2325 FAX: (415) 557-0855
www.fehc.ca.gov



TITLE 2, SECTIONS 7291.2 – 7291.17
SEX DISCRIMINATION: PREGNANCY, CHILDBIRTH OR RELATED MEDICAL
CONDITIONS

Notice published October 21, 2010

NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED REGULATIONS

Pursuant to the requirements of Government Code section 11346.8(c), and section 44 of Title 1 of the California Code of Regulations, the California Fair Employment and Housing Commission ("Commission") is providing notice of further changes made to proposed regulation sections 7291.2 – 7291.17 covering pregnancy, childbirth or related medical conditions. These October 19, 2010 changes to the Commission's August 24, 2010 regulations are in response to written comments regarding the proposed regulations received in the 15-day public comment period from August 30, 2010 to September 15, 2010.

WRITTEN COMMENT PERIOD

If you have any comments regarding the proposed changes, the Commission will accept written comments between October 21, 2010 and November 5, 2010. Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission. **The written comment period closes at 5 p.m. on November 5, 2010.** The Commission will consider only comments received at the Commission offices or through Commission email by that time. Submit comments to:

Ann M. Noel, Executive and Legal Affairs Secretary
Fair Employment and Housing Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, CA 94102

or

regs@fehca.gov

All written comments received by November 5, 2010, which pertain to the indicated changes will be reviewed and responded to by the Commission as part of the compilation of the rulemaking file. Please limit your comments to the modifications to the text. **An electronic copy of your comments is preferred, but not required.**

Although all written comments will be considered, the Commission is particularly interested in public comments in the following three sections of its proposed pregnancy regulations:

California Code of Regulations, title 2, section 7291.6(a)(1)(I) (Page 7 of the October 19, 2010 Text), Involuntary Transfer of Pregnant Employee.

California Code of Regulations, title 2, section 7291.7(a)(2) (Page 9 of the October 19, 2010 Text), Employer has not demonstrated “undue hardship” for reasonable accommodation.

California Code of Regulations, title 2, section 7291.10(c)(2)(A) (Page 16 of the October 19, 2010 Text), “Available” comparable position.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the April 16, 2010 Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikethrough can be accessed through our website at www.fehc.ca.gov – the original May 8, 2008, proposed regulations, the modified August 24, 2010, proposed regulations, and the further modified October 19, 2010 proposed regulations.

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