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Dear Virginia Business Owner:

As you may recall, one of the new Virginia employment laws that took effect July 1, 2020, was an amendment to the Virginia Human Rights Act that added new legal protections for individuals on the basis of pregnancy, childbirth or related medical conditions.

I attach a copy of the law. One key concept is a requirement to provide “reasonable accommodations” to the known limitations of a person unless the employer can demonstrate that the accommodation would impose an undue hardship.

There are also posting and notice requirements. Here is the text of that section:

Section D. An employer shall post in a conspicuous location and include in any employee handbook information concerning an employee's rights to reasonable accommodation for known limitations related to pregnancy, childbirth, or related medical conditions. Such information shall also be directly provided to (i) new employees upon commencement of their employment and (ii) any employee within 10 days of such employee's providing notice to the employer that she is pregnant.

These posting/notice requirements must be implemented by October 29 at the latest.

I attach a word document that contains the information required to be posted. If you choose to use it, please tailor as it pertains to your company (especially the “questions” section at the end).

In addition, you will need to include the information in your employee handbook, provide to new employees as part of their orientation, and provide to any employee within 10 days of learning that she is pregnant.

After you review, please let me know if you have any questions about this new law.

Very truly yours,

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/s/ Todd A. Leeson

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Enclosures