**Section 2535.140 Time Off or Leave as an Accommodation**

a) An employer must grant a job applicant's or employee's request for time off or a leave of absence necessitated by the employee's pregnancy condition as an accommodation, unless the employer can demonstrate that there is another effective accommodation that would enable the employee to continue working, or the accommodation would impose an undue hardship on the ordinary operation of the business of the employer.

b) If the necessity for time off or leave is foreseeable, the job applicant or employee shall provide the employer with prior notice of the expected need for time off or leave in a manner that is reasonable and practicable, unless the employer does not or would not require prior notice for other classes of employees taking time off or leave.

c) If the necessity for time off or leave is foreseeable based on planned medical treatment or supervision, the job applicant or employee shall also make a reasonable effort to schedule the treatment or supervision so as not to unduly disrupt the operations of the employer, subject to the approval of the job applicant's or employee's health care provider.

d) If the necessity for time off or leave is not foreseeable or expected, the job applicant or employee shall provide notice to the employer as soon as possible and practical, and in a manner that is reasonable and practicable.

e) An employee may choose to use accrued paid leave to cover some or all of the time off or leave. An employer is not required to provide paid leave for the duration of the time off or leave unless the paid leave is required by other laws or the employer does so for other classes of employees under similar circumstances.

f) When the need for an accommodation ceases, an employer shall reinstate an employee who took time off or a leave of absence under this Section to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other applicable service credits as of the date the employee went on a leave of absence, unless the employer can demonstrate that doing so would impose an undue hardship on the ordinary operation of the business of the employer. An employer is not required to provide any paid time off benefits such as vacation pay, sick time or similar benefits that would otherwise accrue if the employee was not on leave, unless the employer allows for accrual of such benefits for other classes of employees under similar circumstances.