**Section 2535.170 Documentation of the Need for an Accommodation**

a) An employer is entitled to obtain only the following information to evaluate if a requested reasonable accommodation may be necessary because of a job applicant's or employee's pregnancy condition:

1) The medical justification for the requested accommodation;

2) A description of the reasonable accommodation medically advisable;

3) The date the reasonable accommodation became medically advisable; and

4) The probable duration of the reasonable accommodation.

b) An employer may request documentation from the job applicant's or employee's health care provider concerning the need for the requested accommodation if:

1) The employer would request the same or similar documentation from a job applicant or employee regarding the need for a reasonable accommodation for conditions related to disability;

2) The employer's request for documentation is job-related and consistent with business necessity; and

3) The information sought is not known or readily apparent to the employer.

c) The determination of whether an employer's request for documentation from the job applicant's or employee's health care provider concerning the need for a reasonable accommodation is job-related or consistent with business necessity will depend upon the totality of the circumstances, including, but not limited to the following factors:

1) Whether the need for a reasonable accommodation is readily apparent;

2) Whether the job applicant or employee is able to explain the relationship between the requested accommodation and her pregnancy condition;

3) The employer's reasons for requesting the information; and

4) The degree to which the requested accommodation would impact the ordinary operations of the employer's business if it were granted by the employer.

d) If the employee needs the reasonable accommodation beyond the probable duration identified by the job applicant's or employee's healthcare provider, the employer may request additional information from the job applicant's or employee's health care provider consistent with this Part. An employer must continue to accommodate the job applicant or employee while the employer is requesting additional documentation from the employee's healthcare provider.

e) An employer may require documentation by the employee's healthcare provider to determine compliance with other laws.