



accommodation. The bill would also require an employer to conspicuously post written notice of employees' rights related to pregnancy, childbirth and related medical conditions.

The fiscal impact of SB 38 on local governments as employers is indeterminable but likely to be moderate. Cities and counties would incur some costs to update their personnel policies. The Kentucky League of Cities (KLC) states that SB 38 would require cities with eight or more employees to update their personnel policies with the new language in KRS 344.030 regarding discrimination against employees based on pregnancy, child birth or related medical conditions. This would apply to approximately half of all cities. Cities with 15 or more employees would have to update their policies with the new language in KRS 344.030 regarding accommodation requirements for employees based on pregnancy, child birth or related medical conditions. This would apply to about one-third of cities. Cities may incur costs of training to implement new policies for supervisors and human resources personnel.

Local government employers would have to provide notice to employees regarding additional rights provided in SB 38, that they have a right to be free from discrimination based on pregnancy, childbirth, and related medical conditions and they have the right to reasonable accommodation unless doing so would impose an undue hardship on the employer. This notice would need to be provided to:

- All new employees as soon as they are hired (could be included in the personnel policy);
- All existing employees within 30 days of the effective date of this bill (include in update to personnel policy); and
- Specific employees within 10 days of employer being notified of pregnancy of an employee.

Local government employers would also need to post notices in a conspicuous place (where labor law posters are hanging); the state EEOC office would update the poster so they would only need to post it. Local governments may have to afford affected employees time off or longer breaks as an accommodation; they may have to cover for absent employees by hiring a temp or assigning others to those duties. Reasonable accommodations are required unless they pose an undue hardship on the employer. "Undue hardship" is defined at KRS 344.030(9).

### **Part III: Differences to Local Government Mandate Statement from Prior Versions**

Part II pertains to SB 38 as introduced and there is no prior introduced version of the bill.

**Data Source(s):** Kentucky League of Cities; LRC Staff

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