



IWV Opposes The Pregnant Workers Fairness Act

May 14, 2021

Dear Members of Congress,

Independent Women's Voice (IWV) fights for women by expanding support for policy solutions that actually enhance people's freedom, opportunities, and well-being. I am writing this letter on behalf of IWV in opposition to the Pregnant Workers Fairness Act.

Expecting a baby is a time of joyous anticipation. For many working mothers-to-be, it can also be a stressful time. Pregnant women shouldn't have to fear discrimination in the workplace.

We all agree that pregnant workers deserve protection against unfair discrimination and should be granted reasonable accommodations in the workplace. Indeed, pregnancy discrimination is already illegal in the U.S. and has been since Congress passed the Pregnancy Discrimination Act (PDA) in 1978. Under the Pregnancy Discrimination Act, employers are required to treat "women affected by pregnancy" the same as "other persons not so affected but similar in their ability or inability to work."

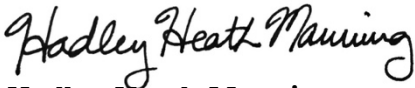
This language was the focus of a Supreme Court case, *Young v. United Parcel Service, Inc.* (2015), in which the Court found that the Pregnancy Discrimination Act does not explicitly require employers to treat pregnant workers the "same" as "any other persons" (who are similar in their ability or inability to work).

If this sounds confusing, it's because it is. Consequently, it is unclear what accommodations employers need to make in order to ensure that pregnant workers are protected and treated fairly.

Thankfully, this confusion can be cleared up with a simple fix. The Pregnancy Discrimination Act should be amended to clarify that a pregnant worker must receive the same accommodations as other workers with similar abilities and limitations. This was one of the many recommendations made by IWV's sister organization, Independent Women's Forum, in the Working for Women Report, an agenda for improving women's lives.

Unlike the Pregnant Workers Fairness Act, our proposed amendment would protect pregnant workers without creating unnecessary laws or duplicative burdens on employers. We urge all members of Congress to reject the Pregnant Workers Fairness Act and instead make a needed change to an existing statute.

Respectfully,



Hadley Heath Manning

Director of Policy

Independent Women's Voice