



the work and family legal center

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FOR MORE INFORMATION

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A Better Balance Applauds Federal Bipartisan Pregnant Workers Fairness Act to be Introduced Tomorrow

Following Supreme Court Ruling in Pregnancy Discrimination Case, Congress Must Pass Measure to Protect All Pregnant Workers

Since 2013, 13 States Have Passed Similar Pregnancy Protection Laws

WASHINGTON, D.C. – U.S. Reps. Jerrold Nadler (D-N.Y.) and Mike Coffman (R-Colo.), U.S. Sens. Bob Casey (D-Pa.), Jeanne Shaheen (D-N.H.), and Dean Heller (R-Nev.), will introduce the Pregnant Workers Fairness Act (PWFA) tomorrow. Following confusion since the 2015 U.S. Supreme Court pregnancy discrimination case *Young v. UPS*, the federal PWFA is more needed than ever to ensure fairness for all pregnant workers. At the same time, states across the country, many with the help of A Better Balance, have taken bipartisan action to pass statewide pregnancy protection laws.

“A federal PWFA will ensure that all pregnant workers across the country, particularly those in low-wage and physically demanding jobs, cannot be fired or pushed onto unpaid leave to stay on the job and have a healthy pregnancy,” said Dina Bakst, Co-Founder and Co-President of A Better Balance. “While A Better Balance has been proud to help move pregnancy discrimination laws forward in several states, no woman should face a lottery between a healthy pregnancy and her job because of where she lives. A bipartisan federal PWFA will end the patchwork of statewide laws and make it clear that any pregnant worker deserves reasonable job modifications.”

The PWFA was originally introduced in 2012, on the heels of an op-ed in [*The New York Times*](#), written by Bakst, calling for the passage of similar legislation in New York. It was reintroduced in 2015. That same year, the U.S. Supreme Court sided for Peggy Young, a former driver for UPS pushed onto unpaid leave while pregnant because of a lifting restriction. While that ruling was a win for Young, it didn’t level the playing field for all pregnant workers.

Including Vermont just last week, 19 states and the District of Columbia have taken action on their own to enact similar laws. Massachusetts and Washington are poised to enact similar pregnancy protections soon. A Better Balance provides support with legislative drafting and technical assistance to local campaigns across the country.



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The PWFA would specifically require an employer to make a reasonable accommodation for pregnancy, childbirth, and related medical conditions, unless this creates an undue hardship on the employer. Examples of reasonable accommodations might include more frequent restroom breaks or light duty for those with lifting restrictions. The law would also require the U.S. Equal Employment Opportunity Commission (EEOC) to make rules implementing the law within two years of enactment. In this role, the EEOC is to provide a list of exemplary reasonable accommodations that should be provided unless they are an undue hardship for the employer.

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A Better Balance is a national legal advocacy organization dedicated to promoting fairness in the workplace and helping workers meet the conflicting demands of work and family.