

October 13, 2021

Dear Majority Leader Schumer,

Thank you for your longstanding and continued leadership and investments in maternal health and working women and families here in New York and around the country. **As you know, the fight to protect pregnant workers in the workplace is far from over. That is why, as New York organizations concerned with maternal health, economic security, racial and health equity, and fairness in the workplace, we urge you to bring the Pregnant Workers Fairness Act (S. 1486) to a vote.** No pregnant worker should be forced to choose between her job and a healthy pregnancy.

The Pregnant Workers Fairness Act is ready and waiting for action, having passed the House in May and through the Health, Education, Labor, and Pensions Committee with overwhelming bipartisan support in early August. Protecting pregnant workers is a matter of great urgency, especially during the pandemic, and they cannot wait a day longer for this bill to pass. Now is the time to act.

New York has long been at the forefront of the pregnant workers fairness movement, with the issue first gaining national attention in a [New York Times op-ed](#) highlighting the stories of New York women being forced off the job for needing modest accommodations. Advocates heard from women across New York, including one pregnant retail worker who fainted and ended up in the emergency room because her employer would not let her carry a water bottle on the retail floor. As a result, many of our organizations supported the New York City and New York State Pregnant Workers Fairness Acts, which passed in 2012 and 2016, respectively. The passage of the 2012 law set off a chain reaction, with cities and states around the country looking to New York as the model for passing greater protections for pregnant workers. Since then, twenty-four states have passed accommodation laws similar to the federal Pregnant Workers Fairness Act, all with bipartisan and often unanimous support, as well as support from the business community.

But the right to receive reasonable accommodations absent undue hardship on an employer should not depend on luck or location. Around the country, pregnant workers, disproportionately low-wage working women of color, are continuing to be forced out of work or forced to risk their health because this country has no federal law providing an affirmative right to pregnancy accommodations.

Just recently, [Tesia](#), a pregnant retail worker in Missouri asked her manager if she could carry a water bottle on the job to stay hydrated because the store's water fountain was shut down due to COVID-19 safety concerns. He refused. Worried about the significant health consequences dehydration can cause during pregnancy, she left her job. Tesia is unfortunately not alone. More than one in five pregnant workers are employed in low-paid jobs, which are particularly likely to be physically demanding, more likely to be held by Black and Latina women, and are more likely to be deemed essential workers. Nationwide Black women are three to four times more likely to die of pregnancy and childbirth-related causes than white women. [Reasonable accommodations in the workplace are one way to help to alleviate maternal health disparities.](#) **Pregnant workers cannot wait any longer for these protections.** They need the Pregnant Workers Fairness Act.

**The Pregnant Workers Fairness Act is [long overdue](#).** It would close gaps in the law and create a clear national standard requiring employers to provide reasonable accommodations to pregnant workers who need them, such as avoiding heavy lifting, taking more frequent bathroom breaks, sitting on a stool instead of standing during a shift, or carrying a water bottle. Workers in low-paid jobs are hit hardest financially and the most likely to be denied these reasonable accommodations. As a result, too many pregnant workers are pushed out into unpaid leave or out of work altogether, threatening their families' economic security just when they need the income the most.

More than [5 million women](#) lost jobs in 2020, a large percentage of whom have been unable to return to work due to caregiving responsibilities and a lack of available social supports. For many women, this penalty begins with pregnancy: employers exhibit bias and inflexibility, forcing women out of work, and into lasting economic disadvantage. The pandemic only exacerbates the need for this common-sense legislation. The Pregnant Workers Fairness Act is a way to keep women healthy and attached to the workforce.

The Pregnant Workers Fairness Act is a broadly bipartisan bill with support from voters, advocates, and the [business community](#). In February 2020, [polling](#) found that 89 percent of voters favor this bill, including across party lines. In May 2021, it passed the House with overwhelming bipartisan support, 315-101, and the support of both Democratic and Republican leadership. The bill is well positioned to garner at least 60 votes in the Senate in its current form and be signed into law by President Biden.

**Leader Schumer, please continue to make New Yorkers proud and bring the Pregnant Workers Fairness Act (S. 1486) to a vote without delay.**

Sincerely,

A Better Balance  
1199SEIU United Healthcare Workers East  
32BJ SEIU  
Retail, Wholesale and Department Store Union (RWDSU)  
DC 37  
Technical, Office and Professional Union UAW Local 2110  
NY NJ Regional Joint Board, Workers United/SEIU  
Communication Workers of America (CWA) District 1  
Local 338 RWDSU/UFCW  
New York State Nurses Association (NYSNA)  
Make the Road New York  
New York Civil Liberties Union  
ALIGN: The Alliance for Greater New York  
Rochester Black Nurses Association  
WIC Association of NYS, Inc.  
Workers Center of Central New York  
The New York Women's Foundation  
Community Service Society of New York

Restaurant Opportunities Center United  
Worker Justice Center of New York (WJCNY)  
National Organization for Women NY  
Alliance for Quality Education  
National Council of Jewish Women New York  
Greater New York Labor-Religion Coalition  
YWCA Brooklyn  
Housing Works, Inc.  
Her Justice, Inc.  
Bernstein Center for Leadership and Ethics

cc: Chair Murray