

May 31, 2017

Re: Co-Sponsor the Pregnant Workers Fairness Act (S. 1101/H.R. 2417)

Dear Member of Congress:

As organizations committed to promoting the health and economic security of our nation's families, we urge you to support the **Pregnant Workers Fairness Act**. This **bipartisan** legislation promotes healthy pregnancies and economic security for pregnant women and their families and strengthens the economy.

In the last few decades, there has been a dramatic demographic shift in the workforce. Not only do women now make up almost half of the workforce, but there are more pregnant workers than ever before and they are working later into their pregnancies. The simple reality is that some of these women—especially those in physically demanding jobs—will have a medical need for a temporary job-related accommodation in order to maintain a healthy pregnancy. Yet, too often, instead of providing a pregnant worker with an accommodation, her employer will fire her or push her onto unpaid leave, depriving her of a paycheck and health insurance at a time when she needs them most. American families and the American economy depend on women's income: we can't afford to force pregnant women out of work.

In 2015, in *Young v. United Parcel Service*, the Supreme Court held that a failure to make accommodations for pregnant workers with medical needs will sometimes violate the Pregnancy Discrimination Act of 1978 (PDA). The Pregnant Workers Fairness Act will strengthen the Supreme Court's decision in *Young*, by providing employers and pregnant workers with a clear, predictable rule: employers must provide reasonable accommodations for limitations arising out of pregnancy, childbirth, or related medical conditions, unless this would pose an undue hardship.

The Pregnant Workers Fairness Act is modeled after the Americans with Disabilities Act (ADA) and offers employers and employees a familiar reasonable accommodation framework to follow. Under the ADA, workers with disabilities enjoy clear statutory protections and need not prove how other employees are treated in order to obtain necessary accommodations. Pregnant workers deserve the same clarity and streamlined process and should not have to ascertain how their employer treats others in order to understand their own accommodation rights, as the Supreme Court's ruling currently requires.

Evidence from states and cities that have adopted laws similar to the Pregnant Workers Fairness Act suggests that providing this clarity reduces lawsuits and, most importantly, helps ensure that women can obtain necessary reasonable accommodations in a timely manner, which keeps

pregnant women healthy and earning an income when they need it most. No woman should have to choose between providing for her family and maintaining a healthy pregnancy, and the Pregnant Workers Fairness Act would ensure that all women working for covered employers would be protected.

The need for the Pregnant Workers Fairness Act is recognized across ideological and partisan lines. States and cities across the country have adopted Pregnant Workers Fairness Acts with broad, and often unanimous, bipartisan support. These states and cities include: California, Colorado, Delaware, Illinois, Maryland, Minnesota, Nebraska, New Jersey, New York, North Dakota, Rhode Island, Utah, West Virginia, Vermont, and Washington. Lawmakers have concluded that accommodating pregnant workers who need it is a measured approach grounded in family values and basic fairness. This broad support is reflected in the United States Senate, where all 100 members voted in favor of a 2015 budget amendment that supported requiring employers to provide reasonable and temporary accommodations to pregnant workers if such accommodations did not impose an undue burden on the business.

The Pregnant Workers Fairness Act is necessary because it promotes long-term economic security and workplace fairness. When accommodations allow pregnant women to continue to work, they can maintain income and seniority, while forced leave sets new mothers back with lost wages and missed advancement opportunities. When pregnant women are fired, not only do they and their families lose critical income, but they must fight extra hard to re-enter a job market that is especially brutal on the unemployed and on pregnant women.

The Pregnant Workers Fairness Act is vital because it supports healthy pregnancies. The choice between risking a job and risking the health of a pregnancy is one no one should have to make. Women who cannot perform some aspects of their usual duties without risking their own health or the health of their pregnancy, but whose families cannot afford to lose their income, may continue working under dangerous conditions. There are health consequences to pushing women out of the workforce as well. Stress from job loss can increase the risk of having a premature baby and/or a baby with low birth weight. In addition, women who are not forced to use their leave during pregnancy may have more leave available to take following childbirth, which in turn facilitates breastfeeding, bonding with and caring for a new child, and recovering from childbirth.

For all of these reasons, we urge you to co-sponsor the Pregnant Workers Fairness Act. We welcome the opportunity to provide you with additional information.

Sincerely,

1,000 Days

9to5, National Association of Working Women

9to5 California

9to5 Colorado

9to5 Georgia

9to5 Wisconsin

A Better Balance

Advocates for Youth

AEU

African American Ministers in Action

AIDS Foundation of Chicago

Alliance for Early Care and Education

Alliance for Justice

Ameinu (Our People)

American Academy of Nursing

American Association of University Women (AAUW)

American Civil Liberties Union

American Federation of Labor-Congress of Industrial Unions

American Federation of Government Employees, AFL/CIO

Department for Professional Employees, AFL-CIO

Washington State Labor Council, AFL-CIO

American Federation of State, County and Municipal Employees

American Federation of Teachers

American Medical Women's Association

American Nurses Association

Association of Reproductive Health Professionals (ARHP)

Association of Women's Health, Obstetric and Neonatal Nurses

Atlanta Women for Equality

Bazelon Center

Black Women's Health Imperative

Black Women's Roundtable of the National Coalition on Black Civic Participation

Boston Workmen's Circle

California Association for Micro Enterprise Opportunity

California Women's Law Center

Catalyst

Catholics for Choice

Center for American Progress Action Fund

Center for Community Change Action

Center for Law and Social Policy (CLASP)

Center for Reproductive Rights

Center for Women Policy Studies
Center for WorkLife Law, University of California Hastings College of
the Law
Centering Healthcare Institute
Central Arizona National Lawyers Guild
Central Conference of American Rabbis
Chicago Foundation for Women
Child Care Aware of America
Childbirth Connection
Cleveland Jobs with Justice
Citizen Action/IL
Citizen Action of New York
Coalition of Labor Union Women
Coalition on Human Needs
Colorado Fiscal Institute
Colorado Organization for Latina Opportunity and Reproductive Rights
(COLOR)
Communications Workers of America
Community Service Society
Congregation of Our Lady of Charity of the Good Shepherd, US
Courage Campaign
DC Abortion Fund
DC Coalition Against Domestic Violence
Demos
Direct Care Alliance
Disciples Center for Public Witness
Disciples Women, Christian Church (Disciples of Christ)
Economic Opportunity Institute
Economic Policy Institute Policy Center
Equal Pay Today
Equal Rights Advocates
Every Child Matters Education Fund
Faith in Public Life
Family and Children's Ministries, Disciples Home Missions, Christian
Church (Disciples of Christ)
Family Equality Council
Family Forward Oregon
Family Values @ Work Consortium
Feminist Majority
First 5 California

First Focus Campaign for Children
First Shift Justice Project
Florida Consumer Action Network
Florida Federation of Business and Professional Women's Club, Inc.
FORGE, Inc.
Forward Together
Gender Justice
Georgia Rural Urban Summit
Hadassah, The Women's Zionist Organization of America, Inc.
Healthy Teen Network
Heartland Alliance for Human Needs & Human Rights
HIV Prevention Justice Alliance (HIV PJA)
HOPE'S DOOR
Human Rights Project for Girls
Immigrant Service Providers Group/Health
Institute for Science and Human Values
Iowa Citizen Action Network
JALSA - the Jewish Alliance for Law & Social Action
Jewish Labor Committee
 Jewish Labor Committee Western Region
Jewish Women International
Jewish Women's Foundation of New York
Job Opportunities Task Force
Jobs With Justice
Keystone Progress
Know Your IX
Lambda Legal
The Leadership Conference on Civil and Human Rights
Legal Aid at Work
Legal Momentum
Legal Voice
Lift Louisiana
Maine People's Alliance
Main Street Alliance
Maine Women's Lobby
Make it Work
MANA, A National Latina Organization
Maryland Women's Coalition for Health Care Reform
Maryland Women's Political Caucus
Maternity Care Coalition

Meiklejohn Civil Liberties Institute
Methodist Federation for Social Action
Mexican American Legal Defense and Educational Fund
Michigan Citizen Action
Mom-mentum
MomsRising
Mothering Justice
Ms. Foundation for Women
NAACP
National Advocacy Center of the Sisters of the Good Shepherd
National Advocates for Pregnant Women
National Asian Pacific American Women's Forum (NAPAWF)
National Association of Commissions for Women (NACW)
National Association of Letter Carriers, Branch 214
National Association of Mothers' Centers
National Center for Lesbian Rights
National Center for Transgender Equality
National Council of Jewish Women
National Council of La Raza (NCLR)
National Council of Negro Women
National Council of Women's Organizations
National Crittenton Foundation
National Domestic Workers Alliance
National Employment Law Project
National Employment Lawyers Association
NELA/NY
National Fair Housing Alliance
National Federation of Business and Professional Women's Clubs-NYC
National Institute for Reproductive Health
National Latina Institute for Reproductive Health
National LGBTQ Task Force Action Fund
National Military Family Association
National Network to End Domestic Violence
National Organization for Women
Bay County NOW
Central Phoenix/Inez Casiano Chapter
Chicago National Organization for Women
Florida National Organization for Women
Fort Myers/Naples National Organization for Women
Hollywood NOW

Illinois National Organization for Women
Louisiana NOW
Maryland National Organization for Women
Massachusetts National Organization for Women
Minnesota NOW
National Organization for Women of New Jersey
NOW Philadelphia Chapter
N-Ta-Nee NOW (Centre County)
PBC Chapter of NOW
Pennsylvania National Organization for Women
Santa Fe NOW
Souh Hills NOW
Virginia NOW
Washington State National Organization for Women
Young Feminists and Allies: National Organization for Women's
(NOW) Inaugural Virtual Chapter
National Partnership for Women & Families
National WIC Association
National Women's Health Network
National Women's Law Center
National Women's Political Caucus
Neighborhood Funders Group
NETWORK Lobby for Catholic Social Justice
New England Jewish Labor Committee
New Hampshire Citizens Alliance
New Jersey Citizen Action
New Jersey Time to Care Coalition
New York Paid Leave Coalition
NGP VAN
NH Citizens Alliance
North Carolina Justice Center
NYS Paid Family Leave Insurance Campaign
Occupational and Environmental Health Center of Eastern NY
Oregon Action
Organization United for Respect (OUR Walmart)
Ounce of Prevention Fund
Partnership for Working Families
PathWays PA
Pediatric AIDS Chicago Prevention Initiative
People For the American Way

Philadelphia Jewish Labor Committee
Physicians for Reproductive Health
Pittsburgh LCLAA
Planned Parenthood Federation of America
 Planned Parenthood of Western New York
PowHer New York
Progressive Maryland
Progress Ohio
Citizen Action of Wisconsin
Progressive National Baptist Convention, Inc.
ProgressNow
Public Health Institute of Metropolitan Chicago
Public Justice Center
Raising Women's Voices for the Health Care We Need
Reconstructionist Rabbinical College/Jewish Reconstructionist
Communities
Religious Coalition for Reproductive Choice
Religious Institute
RESOLVE: The National Infertility Association
Restaurant Opportunities Centers United
 ROC-Miami
RESULTS
Retail Action Project (RWDSU)
Sargent Shriver National Center on Poverty Law
SEIU
 1199/United Health Care Workers East - SEIU
Sexuality Information and Education Council of the U.S. (SIECUS)
Society for Women's Health Research
Southwest Women's Law Center
Sugar Law Center for Economic and Social Justice
Tennessee Citizen Action
The Every Child Matters Education Fund
The Indiana Toxics Action Project
The Praxis Project
The Religious Coalition for Reproductive Choice
The Voter Participation Center
The What To Expect Foundation
The Women's Fund of Long Island
The Women's Law Center of Maryland
The Workmen's Circle

Transport Workers Union Working Women's Committee
T'ruah: The Rabbinic Call for Human Rights
U.S. Breastfeeding Committee
United Food & Commercial Workers International Union
 UFCW Local 5
 UFCW Local 7
UltraViolet
UN Women - Greater L.A. Chapter (of USNC)
Union for Reform Judaism
Unitarian Universalist Association of Congregations
Unitarian Universalist Women's Federation
United Action for Idaho
United Church of Christ, Justice & Witness Ministries
United Steelworkers
United We Dream Action
URGE: Unite for Reproductive & Gender Equity
USAction
Virginia Organizing
Voices for Children in Nebraska
Voices for Illinois Children
Voices for Progress
Voices for Vermont's Children
Washington Area Women's Foundation
Washington Community Action Network
Western Center on Law and Poverty
West Virginia Citizen Action Group
Wider Opportunities for Women
Women AdvaNCe
Women Employed
Women of Reform Judaism
Women's Bar Association of the District of Columbia
Women's Employment Rights Clinic, Golden Gate University School of
Law
Womens Fund of Long Island
Women's Fund of Rhode Island
Women's Law Project
Women's Media Center
Women's Rights and Health Working Group of Bay Indivisible
Workforce 21C
Young Invincibles

Young Workers United
YWCA USA
 YWCA Central Maine
 YWCA Greater Austin
Zero to Three