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December 23, 2021

Hon. Charles E. Schumer
Majority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Hon. Mitch McConnell
Minority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, D.C. 20510

Dear Majority Leader Schumer and Minority Leader McConnell:

The COVID-19 pandemic has resulted in a veritable “she-cession,” with millions of women across the country either losing their jobs or making the difficult choice to step out of the economy in order to provide care for their families and communities. As the United States works to meet the challenges that lie ahead, it is imperative that we use this opportunity to protect pregnant people in the workplace. We strongly urge the Senate to pass S.1486, the Pregnant Workers Fairness Act (PWFA), so that women and pregnant workers can participate in the economy without confusion or concern over their rights at work when they are expecting.

Strengthening these protections for pregnant workers is long overdue. The PWFA would make it clear that pregnant workers are entitled to reasonable accommodations without having to prove that another employee in a similar situation has also received accommodations. It would prevent employers from pushing pregnant workers out of their jobs or forcing them to take unwanted leave if they make minor requests like sitting instead of standing, taking more regular breaks, or temporarily avoiding certain activities like heavy lifting.

Pregnant workers are not adequately protected under current law despite both the Pregnancy Discrimination Act and the Americans with Disabilities Act, which present gaps for these kinds of workers. A new statute is needed to make sure that pregnant workers do not fall through the cracks and are instead able to maintain their jobs. The PWFA will make it clear to both workers and employers what their rights and obligations are under the law. The bill also sets out a clear process for both parties to work together to determine reasonable accommodations, similar to the Americans with Disabilities Act.

It is critical that we pass the PWFA now. These protections are urgently needed, especially by pregnant low-income people and people of color who often face the greatest challenges trying to obtain reasonable accommodations at work. The PWFA will facilitate access to justice for these workers and also have positive implications on other issues that disproportionately affect women of color, such as severe maternal mortality and morbidity.

Women and pregnant people are a crucial part of the American economy. It is paramount that we do everything we can to both facilitate their return to and ability to remain in the workforce, including when they are expecting. Passing the PWFA will help to make this a reality. It is not only the right thing to do for workers but also good for business.

We urge you to prioritize and pass the Pregnant Workers Fairness Act as soon as possible on behalf of working women, pregnant people, and businesses both large and small across the country.

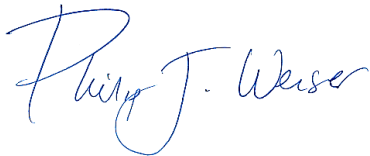
Sincerely,



Letitia James
New York Attorney General



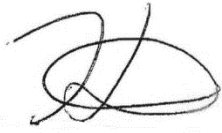
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T.J. Donovan
Vermont Attorney General



Bob Ferguson
Washington State Attorney General

cc: Hon. Patty Murray, Hon. Bob Casey