January 11, 2022

The Honorable Charles E. Schumer
Majority Leader, United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Dear Leader Schumer:

Thank you for your longstanding leadership in support of women and families and for continuing to tackle critical issues that meet the needs of our nation. As organizations that promote economic security, and gender, racial, and health equality and justice for women, we are asking that you continue that support by ensuring the Pregnant Workers Fairness Act (S. 1486) passes without delay.

The need for the Pregnant Workers Fairness Act is critical and the time to act is now. Pregnant workers—especially low-income frontline workers and mothers of color—are struggling due to the pandemic and economic crises. They are routinely being denied the reasonable accommodations they need to protect their health and stay attached to the workforce.

Over 200 organizations, including women’s rights, worker’s rights, maternal health and racial justice organizations, and unions, support this legislation because it is fundamental to the health and economic wellbeing of pregnant people in this country and an issue of increasing urgency. In May 2021, the bill passed the House of Representatives with overwhelming support in a vote of 315-101. In August 2021, it passed through the Health, Education, Labor, and Pensions Committee, again with overwhelming support, and is well positioned to pass the Senate in its current form in order to be signed into law by President Biden.

In 2022, it is unacceptable that pregnant workers are suffering because there is no law providing an affirmative right to accommodations for pregnancy, childbirth or related medical conditions, including lactation. More than 5 million women lost their 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 and workplace supports, including access to temporary, reasonable workplace accommodations for pregnancy-related limitations.

The health and economic consequences of this unfair and discriminatory treatment are profound. Pregnant workers, especially Black women and Latinas in low-paid jobs, are routinely pushed out onto unpaid leave or out of work altogether when they need pregnancy accommodations, threatening their families’ economic security just when they need the income the most. Others have no choice but to risk their health in order to financially provide for their families, sometimes with devastating results for maternal and infant health—exacerbating existing public health crises in this country, including racial disparities in health outcomes. Pregnant workers need help today and should not have to wait a moment longer for the protections they need and deserve. They need the Pregnant Workers Fairness Act.
The Pregnant Workers Fairness Act is long overdue. The bill would close harmful gaps in current law that leave pregnant workers forced to choose between their health and a paycheck. Nearly two-thirds of pregnant workers today are still losing their pregnancy accommodations cases under the Pregnancy Discrimination Act, despite a new legal standard set forth for evaluating pregnancy accommodation cases in the 2015 Supreme Court case Young v. UPS. Pregnant workers are also routinely denied accommodations under the Americans with Disabilities Act because their medical needs do not constitute a disability under the law. The Pregnant Workers Fairness Act would create a clear national framework requiring employers to provide reasonable accommodations to pregnant workers absent undue hardship, accommodations 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.

The Pregnant Workers Fairness Act is necessary because it promotes healthy pregnancies, long-term economic security, and workplace fairness. Accommodations allow pregnant workers to continue to work and stay attached to the labor force, which is all the more important as employers need more employees and workers seek careers where they can thrive. Forced leave too often means not only lost pay, but lost health insurance or discontinuation in health care, loss of seniority, and other benefits. Job losses can lead to sudden economic shocks, including debt, housing insecurity, and food insecurity. While public benefits provide some supports, gaps in these programs mean that families often still do not have what they need to make ends meet.

The choice between risking a job and risking the health of a pregnancy is one no one should have to make. Please honor our nation’s pregnant workers, especially pregnant workers of color who have so often shouldered frontline responsibilities during this pandemic, by ensuring the Pregnant Workers Fairness Act passes without delay.

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1,000 Days
2020 Mom
9to5
9to5 Georgia
A Better Balance
Academy of Nutrition and Dietetics
Action Ohio Coalition for Battered Women
African American Ministers In Action
Alaska Breastfeeding Coalition
American Academy of Pediatrics
American Association of University Women (AAUW)
AAUW Indianapolis
American Civil Liberties Union
Anitab.org
Asset Building Strategies
Association of Maternal & Child Health Programs
Association of State Public Health Nutritionists
Black Mamas Matter Alliance (BMMA)
Breastfeeding Family Friendly Communities
BreastfeedLA
California WIC Association
California Women's Law Center
California Work & Family Coalition
Center for Public Justice
Center For Reproductive Rights
Center for WorkLife Law
Child Care Law Center
Christine's Care & Compassion, LLC
Clearinghouse on Women's Issues
Clergy and Laity United for Economic Justice
Coalition for Restaurant Safety & Health
Coalition of Labor Union Women, AFL-CIO
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Disability Rights Education & Defense Fund
Dorothy Day Catholic Worker, Washington DC
Early Childhood Alliance
Equal Rights Advocates
EVMS, Minus 9 to 5
Faith Choice Ohio
Family Equality
First Focus Campaign for Children
Gender Equality Law Center
Grandmothers for Reproductive Rights (GRR!)
Greater Louisville Inc.
Hawai‘i Children's Action Network Speaks!
Healthier Moms and Babies
Healthy and Free Tennessee
Healthy Mothers, Healthy Babies Coalition of Georgia
HealthyWomen
Hoosier Action
Human Rights Watch
ICNA Council for Social Justice
In Our Own Voice: National Black Women's Reproductive Justice Agenda
Indiana Breastfeeding Coalition
Indiana Chapter of the American Academy of Pediatrics
Indiana Coalition Against Domestic Violence, Inc.
Indiana Community Action Poverty Institute
Indiana Minority Health Coalition
Indiana Public Health Association
Indiana Statewide Independent Living Council (INSILC)
Indianapolis Urban League
Institute for Women's Policy Research
International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)
Justice for Migrant Women
Kansas Action for Children
Kansas Breastfeeding Coalition
KWH Law Center for Social Justice and Change
Jewish Women International, Inc.
Legal Aid at Work
Legal Momentum, The Women's Legal Defense and Education Fund
Maine Women's Lobby Education Fund
March of Dimes
Maternal Mental Health Leadership Alliance
MCCOY (Marion County Commission on Youth, Inc.)
Michigan Breastfeeding Network
Mississippi Black Women's Roundtable
Mom Congress
MomsRising/MamásConPoder
Monroe County NOW
NARAL Pro-Choice America
National Advocacy Center of the Sisters of the Good Shepherd
National Association of Pediatric Nurse Practitioners
National Association of Social Workers, Maine Chapter
National Association of Social Workers, NH Chapter
National Association of Social Workers, Vermont Chapter
National Center for Lesbian Rights
National Council of Jewish Women
National Council of Jewish Women CA
National Education Association
National Employment Law Project
National Employment Lawyers Association
National Latina Institute for Reproductive Justice
National Network to End Domestic Violence
National Organization for Women
National Partnership for Women and Families
National Urban League
National WIC Association
National Women's Law Center
NC Child
NETWORK Lobby for Catholic Social Justice
New Mexico Breastfeeding Task Force
North Carolina Justice Center
Ohio Alliance to End Sexual Violence
Ohio NOW Education and Legal Fund
Oxfam America
Peirce Consulting LLC
Pennsylvania Chapter of National Organization for Women
Philly CLUW
Physicians for Reproductive Health
Planned Parenthood Federation of America
Poder Latinx
Postpartum Support Virginia
PowHer New York
Pretty Mama Breastfeeding LLC
Prevent Child Abuse North Carolina
Public Advocacy for Kids
RESULTS
RESULTS DC/MD
ROC United
Sharon Eisbart-Corporate Art
Shriver Center on Poverty Law
SisterReach
Society of Women Engineers
Southwest Women's Law Center
SPAN Parent Advocacy Network
Speaking of Birth
The Episcopal Church
The Leadership Conference on Civil and Human Rights
The Little Timmy Project
The National Domestic Violence Hotline
The Ohio Women's Public Policy Network
The Women's Law Center of Maryland
Tidewater Coaching
U.S. Breastfeeding Committee
UFCW International Union
Ujima Inc., The National Center on Violence Against Women in the Black Community
Union for Reform Judaism
United Church of Christ Justice and Local Church Ministries
United Electrical, Radio and Machine Workers of America (UE)
Virginia Breastfeeding Advisory Committee
West Virginia Breastfeeding Institute
Western Kansas Birthkeeping LLC
Wichita Birth Justice Society
William E. Morris Institute for Justice
Women4Change
Women Employed
Women of Reform Judaism
Women's Law Project
Women's Media Center
Women’s Rights and Empowerment Network
Work Baby Balance
Workplace Fairness
WV Perinatal Partnership, Inc.
YMCA of Greater Cincinnati
YWCA Greater Cincinnati
YWCA Mahoning Valley