



STOKES WAGNER

ATTORNEYS AT LAW

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HR 2694: Pregnant Workers Fairness Act

On January 14, 2020, the House Committee on Education and Labor voted to advance the Pregnant Workers Fairness Act [H.R. 2694]. The act aims to eliminate discrimination and promote women's health and security by allowing pregnant women to continue working without jeopardizing their pregnancy. Although the Pregnancy Discrimination Act and the Americans with Disability Act provide some federal protections for pregnant workers, the Pregnant Workers Fairness Act will be the first federal law that explicitly guarantees all pregnant workers the right to reasonable accommodation.

The act ensures that both job applicants and current employees with known limitations related to pregnancy, childbirth, or related medical conditions are provided reasonable accommodations unless it would impose an "undue hardship" on the operation of the employer's business. The act also protects pregnant workers from the denial of employment opportunities, from retaliation for requesting a reasonable accommodation, or from forced leave when another reasonable accommodation is available.

Under the act, the rights and remedies available to pregnant workers are the same as those established under Title VII of the Civil Rights Act of 1964, which includes lost pay, compensatory damages, and reasonable attorneys' fees.

Now, whether pregnant workers will be entitled to the rights under the act is up to the House.

Questions? Contact Stokes Wagner.