

August 2, 2021

The Honorable Patty Murray
Chair
Committee on Health, Education,
Labor and Pensions
United States Senate
Washington, DC 20510

The Honorable Richard Burr
Ranking Member
Committee on Health, Education,
Labor and Pensions
United States Senate
Washington, DC 20510

Dear Chair Murray and Ranking Member Burr:

The undersigned groups urge the Committee on Health, Education, Labor and Pensions to approve S. 1486, the Pregnant Workers Fairness Act (PWFA), and we support the anticipated bipartisan manager's amendment that clarifies and keeps the negotiated language intact.

This negotiated compromise would protect the interests of both pregnant employees and their employers, and the committee should approve it. The bill passed the House 315-101 with overwhelming bipartisan support.

Employers currently face great uncertainty about whether, and how, they are required to accommodate pregnant workers. The PWFA would clarify an employer's obligation to accommodate a pregnant employee or applicant with a known limitation that interferes with her ability to perform some essential functions of her position.

The PWFA takes advantage of the widely known and accepted interactive process associated with the Americans with Disabilities Act (ADA) that is used to find reasonable accommodations for employees covered by the ADA, and also carries forward the 15-or-more-employee threshold from the ADA.

We urge the Committee to approve the Pregnant Workers Fairness Act, as amended.

Sincerely,

Associated Builders and Contractors
HR Policy Association
National Association of Manufacturers
National Restaurant Association
National Retail Federation
Retail Industry Leaders Association
Society for Human Resource Management
U.S. Chamber of Commerce

cc: Members of the Senate Committee on Health, Education, Labor and Pensions