

Key Vote Alert

December 21, 2022

To the Members of the United States Senate:

The U.S. Chamber of Commerce strongly supports an amendment expected to be offered to the Consolidated Appropriations Act of Fiscal Year 2023 by Senator Bill Cassidy (R-LA) to add the Pregnant Workers Fairness Act. This bipartisan compromise would protect the interests of both pregnant employees and their employers. **The Chamber will consider including votes on the Cassidy amendment in our “How They Voted” scorecard.**

The Pregnant Workers Fairness Act, S. 1486, was reported by the Committee on Health, Education, Labor and Pensions on a strong bipartisan vote in August 2021. Since then, negotiations have continued seeking to resolve concerns regarding the bill's application to state employees, and what obligations religious employers would have under the bill. Amendments addressing these issues are also expected to be offered.

Employers currently face great uncertainty about whether, and how, they are required to accommodate pregnant workers. The revised PWFA would clarify an employer's obligation to work with a pregnant employee, or applicant, with a known limitation that interferes with her ability to perform some essential functions of her position, to find an accommodation that does not present an undue hardship. The PWFA takes advantage of the widely known and accepted interactive process associated with the Americans with Disabilities Act 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.

The Chamber worked extensively with advocates for this bill to find agreement, and the Pregnant Workers Fairness Act has broad bipartisan support. This important bill highlights that through good faith negotiations, legislative solutions to important questions and problems can be achieved. We urge the Senate to adopt Senator Cassidy's amendment that is the Pregnant Workers Fairness Act.

Sincerely,



Evan Jenkins
Senior Vice President
Government Affairs
U.S. Chamber of Commerce



U.S. Chamber of Commerce
Government Affairs

1615 H Street NW
Washington, DC 20062-2000
Hill_Letters@uschamber.com