Independent® Women's Voice

WHAT YOU NEED TO KNOW

The Pregnancy Discrimination Amendment Act

The original Pregnancy Discrimination Act (PDA) of 1978 was intended to prohibit workplace discrimination against pregnant women. But...

- The PDA does not explicitly require that pregnant workers be treated the "same" as "any other persons" (who are similar in their ability or inability to work), creating ambiguity for employers and workers.
- A 2015 Supreme Court decision *(Young v. United Parcel Service)* did not resolve this ambiguity, but instead introduced a new unclear interpretation of the law.

It's critical that lawmakers clarify and modernize the PDA.

- Pregnant workers are still not fully protected against discrimination.
- Today, women make up almost half of America's workforce.
- More and more women continue working while pregnant, and later into pregnancy. (**Pew Research**)

Simply amending the existing PDA can solve the problem. H.R. 5194, the Pregnancy Discrimination Amendment Act (PDAA)...

- Will eliminate confusion and explicitly require employers to treat pregnant workers the same as any other employees working under similar conditions and with similar physical limitations.
- Will provide women with clearly-defined protections.
- Will also benefit employers by providing legal clarity.
- Avoids the pitfalls of other legislation, like the Pregnant Workers Fairness Act, which:
  - Would be confusing for both employees and employers.
  - Could make women of child-bearing age seem like potential liabilities, discouraging employers from hiring or advancing women in the workplace.
- Does ***not*** create any new laws or regulations. Instead, it ***clarifies the original PDA***.
- Will modernize the 1978 PDA, bringing it in line with its original intention and making the workplace a better place for women who are or may become pregnant.