



## IWV Supports the Pregnancy Discrimination Amendment Act

March 8, 2018

Dear Members of Congress,

Independent Women's Voice is an advocacy 501(c)(4) organization that fights for women and families by effectively expanding support for policy solutions that aren't just well intended, but actually enhance people's freedom, choices, and opportunities. I am writing this letter on behalf of IWV in support of H.R. 5194, the Pregnancy Discrimination Amendment Act (PDAA), sponsored by Representatives Tim Walberg (R-MI) and Kristi Noem (R-ND).

If enacted, this amendment would clarify the Pregnancy Discrimination Act and protect pregnant workers from discrimination in the workplace without creating new laws or limiting women's economic opportunities.

Forty years ago, Congress passed the Pregnancy Discrimination Act, which bars discriminatory treatment against women who become pregnant. However, due to the law's ambiguous language, it is not clear how employers can comply with the law or what the accommodation requirements are.

Under the Pregnancy Discrimination Act, employers are required to treat "women affected by pregnancy" the same as "other persons not so affected but similar in their ability or inability to work." This language was the focus of a recent Supreme Court case, *Young v. United Parcel Service, Inc.* (2015), in which the Court found that the Pregnancy Discrimination Act does not explicitly require employers to treat pregnant workers the "same" as "any other persons" (who are similar in their ability or inability to work).

If this sounds confusing, it's because it is confusing. The Pregnancy Discrimination Amendment Act aims to address this confusion and ensure that pregnant women receive fair treatment in the workplace by requiring employers to treat pregnant workers the same as "any" other employees in similar working conditions.

Unfortunately, efforts to increase legal protections for pregnant workers can limit women's economic opportunities if they make pregnant women (or women in their childbearing years) seem like potential liabilities, which can discourage employers from hiring or promoting women. However, the

Pregnancy Discrimination Amendment Act *would not create any new laws or regulations* but instead would *clarify and modernize the original 1978 bill*.

Pregnant women deserve the same treatment that all other employees receive, and this can be guaranteed with a simple change to an existing statute. This was one of the many recommendations made by IWV's sister organization, Independent Women's Forum, in the *Working for Women Report*, an agenda for improving women's lives. Independent Women's Voice strongly urges Members of Congress to vote in favor of the Pregnancy Discrimination Amendment Act.

Respectfully,

A handwritten signature in black ink that reads "Hadley Heath Manning". The signature is written in a cursive, flowing style.

**Hadley Heath Manning**

*Director of Policy*

*Independent Women's Forum*