

S 1486

Pregnant Workers Fairness Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Apr 29, 2021

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 141.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 141. (Sep 30, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/1486>

Sponsor

Name: Sen. Casey, Robert P., Jr. [D-PA]

Party: Democratic • **State:** PA • **Chamber:** Senate

Cosponsors (40 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Capito, Shelley Moore [R-WV]	R · WV		Apr 29, 2021
Sen. Cassidy, Bill [R-LA]	R · LA		Apr 29, 2021
Sen. Murkowski, Lisa [R-AK]	R · AK		Apr 29, 2021
Sen. Shaheen, Jeanne [D-NH]	D · NH		Apr 29, 2021
Sen. Smith, Tina [D-MN]	D · MN		Apr 29, 2021
Sen. Grassley, Chuck [R-IA]	R · IA		Jul 22, 2021
Sen. Kaine, Tim [D-VA]	D · VA		Jul 22, 2021
Sen. Collins, Susan M. [R-ME]	R · ME		Dec 16, 2021
Sen. Duckworth, Tammy [D-IL]	D · IL		Dec 16, 2021
Sen. Ernst, Joni [R-IA]	R · IA		Feb 9, 2022
Sen. Van Hollen, Chris [D-MD]	D · MD		Feb 9, 2022
Sen. Lujan, Ben Ray [D-NM]	D · NM		Mar 10, 2022
Sen. Romney, Mitt [R-UT]	R · UT		Mar 10, 2022
Sen. Baldwin, Tammy [D-WI]	D · WI		Dec 22, 2022
Sen. Bennet, Michael F. [D-CO]	D · CO		Dec 22, 2022
Sen. Blumenthal, Richard [D-CT]	D · CT		Dec 22, 2022
Sen. Booker, Cory A. [D-NJ]	D · NJ		Dec 22, 2022
Sen. Brown, Sherrod [D-OH]	D · OH		Dec 22, 2022
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Dec 22, 2022
Sen. Coons, Christopher A. [D-DE]	D · DE		Dec 22, 2022
Sen. Durbin, Richard J. [D-IL]	D · IL		Dec 22, 2022
Sen. Feinstein, Dianne [D-CA]	D · CA		Dec 22, 2022
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Dec 22, 2022
Sen. Hassan, Margaret Wood [D-NH]	D · NH		Dec 22, 2022
Sen. Hirono, Mazie K. [D-HI]	D · HI		Dec 22, 2022
Sen. King, Angus S., Jr. [I-ME]	I · ME		Dec 22, 2022
Sen. Klobuchar, Amy [D-MN]	D · MN		Dec 22, 2022
Sen. Markey, Edward J. [D-MA]	D · MA		Dec 22, 2022
Sen. Menendez, Robert [D-NJ]	D · NJ		Dec 22, 2022
Sen. Ossoff, Jon [D-GA]	D · GA		Dec 22, 2022
Sen. Padilla, Alex [D-CA]	D · CA		Dec 22, 2022
Sen. Peters, Gary C. [D-MI]	D · MI		Dec 22, 2022
Sen. Reed, Jack [D-RI]	D · RI		Dec 22, 2022
Sen. Schumer, Charles E. [D-NY]	D · NY		Dec 22, 2022
Sen. Sinema, Kyrsten [D-AZ]	D · AZ		Dec 22, 2022
Sen. Tester, Jon [D-MT]	D · MT		Dec 22, 2022
Sen. Warnock, Raphael G. [D-GA]	D · GA		Dec 22, 2022
Sen. Warren, Elizabeth [D-MA]	D · MA		Dec 22, 2022
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Dec 22, 2022
Sen. Wyden, Ron [D-OR]	D · OR		Dec 22, 2022

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Reported By	Sep 30, 2021

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
117 HR 2617	Related bill	Dec 29, 2022: Became Public Law No: 117-328.
117 S 4431	Related bill	Jun 21, 2022: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 425.
117 HR 1065	Identical bill	May 17, 2021: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Summary (as of Sep 30, 2021)

Pregnant Workers Fairness Act

This bill prohibits employment practices that discriminate against making reasonable accommodations for qualified employees affected by pregnancy, childbirth, or related medical conditions. A *qualified employee* is an employee or applicant who, with or without reasonable accommodation, can perform the essential functions of the position, with specified exceptions.

Specifically, the bill declares that it is an unlawful employment practice to

- fail to make reasonable accommodations to known limitations of such employees unless the accommodation would impose an undue hardship on an entity's business operation;
- require a qualified employee affected by such condition to accept an accommodation other than any reasonable accommodation arrived at through an interactive process;
- deny employment opportunities based on the need of the entity to make such reasonable accommodations to a qualified employee;
- require such employees to take paid or unpaid leave if another reasonable accommodation can be provided; or
- take adverse action in terms, conditions, or privileges of employment against a qualified employee requesting or using such reasonable accommodations.

The bill sets forth enforcement procedures and remedies that cover different types of employees in relation to such unlawful employment practices.

The Equal Employment Opportunity Commission must provide examples of reasonable accommodations that shall be provided to affected employees unless the employer can demonstrate that doing so would impose an undue hardship.

The bill prohibits state immunity under the Eleventh Amendment to the Constitution from an action for a violation of this bill.

Actions Timeline

- **Sep 30, 2021:** Committee on Health, Education, Labor, and Pensions. Reported by Senator Murray with an amendment in the nature of a substitute. Without written report.
- **Sep 30, 2021:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 141.
- **Aug 3, 2021:** Committee on Health, Education, Labor, and Pensions. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Apr 29, 2021:** Introduced in Senate
- **Apr 29, 2021:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.