

S 4431

Pregnant Workers Fairness Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Jun 16, 2022

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 425.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 425. (Jun 21, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/4431>

Sponsor

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

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

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Burr, Richard [R-NC]	R · NC		Jun 16, 2022
Sen. Cassidy, Bill [R-LA]	R · LA		Jun 16, 2022
Sen. Murray, Patty [D-WA]	D · WA		Jun 16, 2022
Sen. Shaheen, Jeanne [D-NH]	D · NH		Jun 21, 2022

Committee Activity

No committee referrals or activity are recorded for this bill.

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 1486	Related bill	Sep 30, 2021: Placed on Senate Legislative Calendar under General Orders. Calendar No. 141.
117 HR 1065	Related bill	May 17, 2021: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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

- **Jun 21, 2022:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 425.
- **Jun 16, 2022:** Introduced in Senate
- **Jun 16, 2022:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.

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