

Federal & State First Friday Policy Update

February 4, 2022

Resources



Pregnant Workers Fairness Act (S.1486):

- Pregnant Workers Fairness Act - <https://www.congress.gov/bill/117th-congress/senate-bill/1486>
- A Better Balance - <https://www.abetterbalance.org/our-issues/pregnant-workers-fairness/>
- Sarah Brafman, A Better Balance - sbrafman@abetterbalance.org

Take Action:

- Contact [Senator Moran](#) (202-224-6521) and [Senator Marshall](#) (202-224-4774) asking them to:
 - Encourage Senate leadership to include PWFA in the budget bill
 - Co-sponsor the bill (S.1486)
- Next week – amplify social media messages, follow @First1000DaysKS and @ABetterBalance

Extend Medicaid postpartum coverage to 12 months:

- UMHMF Extending Medicaid postpartum coverage - <https://healthfund.org/a/extending-postpartum-medicaid/>
- David Jordan, United Methodist Health Ministry Fund - david@healthfund.org



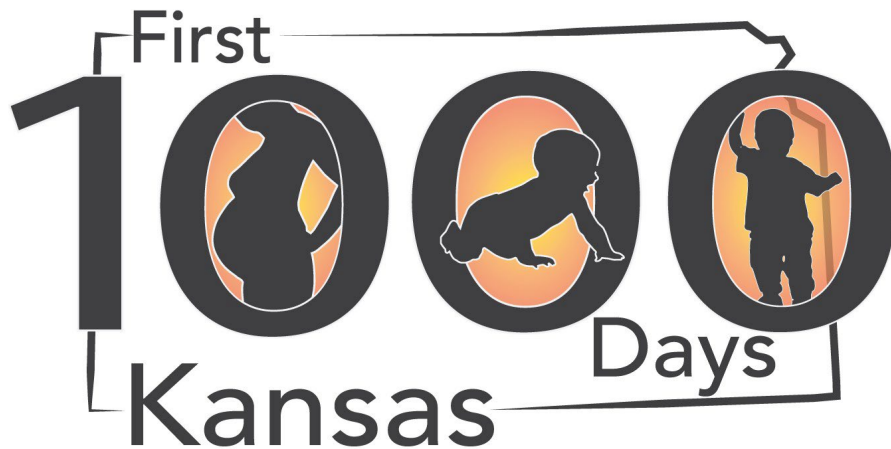
**Federal and State
First Fridays
Policy Updates
9-9:30 a.m. CDT**



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100 Days
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Federal Policy Spotlight

Pregnant Workers Fairness Act

S. 1486/H.R. 1065

Presenter:

Sarah Brafman

Senior Policy Counsel
A Better Balance



the work and family legal center





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abetterbalance.org/know-your-rights

Federal Policy Spotlight: Pregnant Workers Fairness Act

February 4, 2022

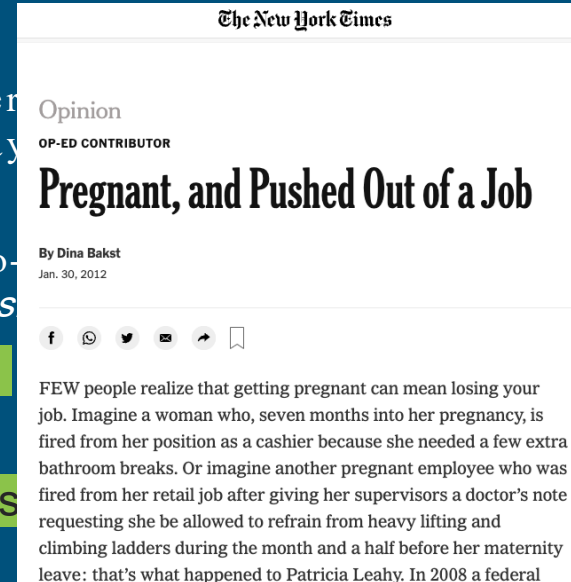
Sarah Brafman
Director, DC Office
Senior Policy Counsel
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PREGNANT & POSTPARTUM ACCOMMODATIONS

More than a decade ago, ABB began hearing through our free legal helpline, that employers were routinely refusing to grant pregnant and postpartum workers modest accommodations, such as carrying a water bottle on the retail floor, light duty, or additional bathroom breaks to stay healthy and on the job.

There was a **solution** to the problem, one that our Co-Founder and Co-President Dina Bakst laid out in a 2012 Op-Ed in *The New York Times*

In order for pregnant workers to achieve true equality and equal opportunity in the workplace, **the law must grant pregnant workers a clear right to reasonable accommodations**, the same standard afforded to workers with disabilities.



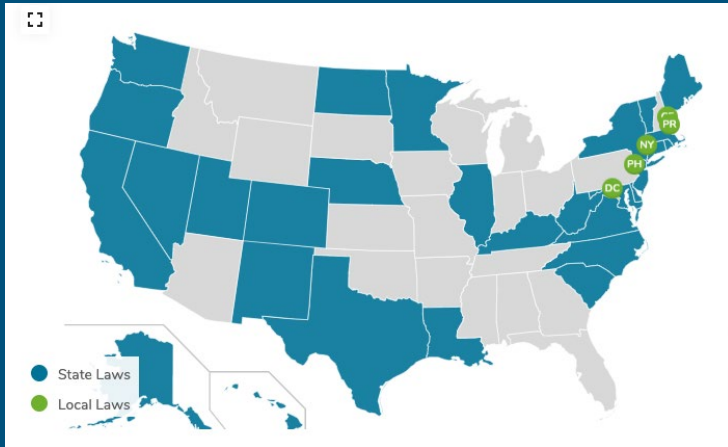
PREGNANCY ACCOMMODATIONS

The Solution: Pregnant Workers Fairness Acts

- In 2012, after the release of the op-ed, Congress introduced the federal **Pregnant Workers Fairness Act (PWFA)** which would require employers to provide reasonable accommodations absence undue hardship on the employer.
- We also also began working to pass PWFAs in states and cities around the country. In 2013, New York City was the first to pass a PWFA as part of this concerted movement.
 - Since 2013, **twenty -five states** have passed accommodation laws similar to the federal PWFA, all with bipartisan and often unanimous support. 30 states total now have additional protections. Unfortunately, Kansas is not one of those states.

Pregnancy Accommodations

STATE PREGNANT WORKERS FAIRNESS LAWS:



- | | | | |
|-------------|---------------|----------------|------------------|
| Alaska | Louisiana | New York | Utah |
| California | Maine | North Carolina | Vermont |
| Colorado | Maryland | North Dakota | Virginia |
| Connecticut | Massachusetts | Oregon | Washington |
| Delaware | Minnesota | Rhode Island | Washington, D.C. |
| Hawaii | Nebraska | South Carolina | West Virginia |
| Illinois | New Jersey | Tennessee | |
| Kentucky | New Mexico | Texas | |

State map: <https://www.abetterbalance.org/resources/pregnant-worker-fairness-legislative-successes/>

Pregnancy Accommodations



Many hoped the 2015 Supreme Court case *Young v. UPS* would solve the problem. It did not.

In an extensive review of post-*Young* pregnancy accommodation cases conducted for our report, *Long Overdue*, A Better Balance found that in **over two -thirds** of cases, despite the new *Young* standard, courts held employers were permitted to deny pregnant workers accommodations under the Pregnancy Discrimination Act. .

More Progress is Needed to Support Pregnant Workers.

Millions of pregnant & postpartum workers in this country still have no right to accommodations.

WE NEED THE FEDERAL PREGNANT WORKERS FAIRNESS ACT.

And we are close.

- Passed in House of Representatives in September 2020 and May 2021
- Passage through Senate HELP Committee in August 2021 (including yes votes from Senators Marshall and Moran)
- Ready for Senate passage!

GET INVOLVED

THIS MONTH, JOIN “THE BIG PUSH FOR THE PWFA”!!

- Social media
- Call-ins
- And more!

To find out how to get involved:

- Email me at sbrafman@abetterbalance.org
- Join our mailing list: <https://www.abetterbalance.org/mailing-list/>
- Follow us on social media:
- **Twitter:** @ABetterBalance **Instagram:** @a_better_balance **Facebook:** A Better Balance

Thank You!

QUESTIONS?

State Policy Spotlight

Extending Postpartum Medicaid
Coverage to 1 year



Presenter:

David Jordan

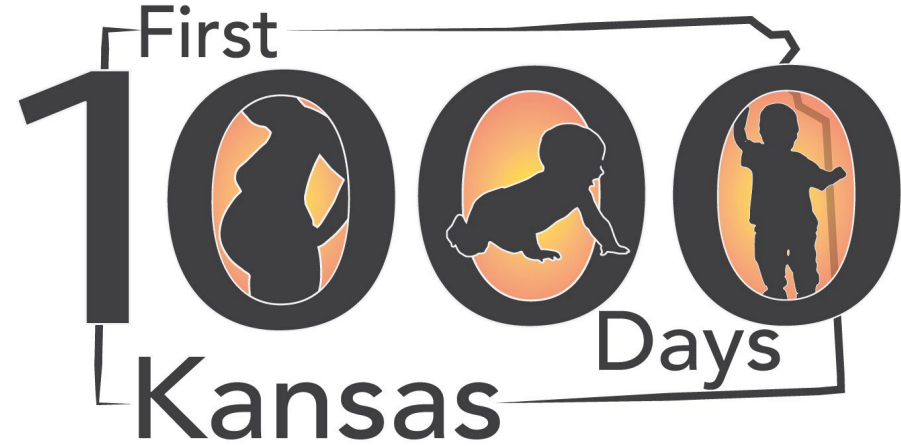
President & CEO
United Methodist Health
Ministry Fund



A green rectangular sign with rounded corners and a white border of reflective dots. The sign is mounted on two wooden posts and features the text "Next Step" in a large, white, sans-serif font. The background is a bright blue sky with scattered white clouds.

Next Step

Please join First 1,000 Days Kansas
<http://first1000daysks.org/join-us/>



Follow us on Social Media!

Facebook: [@First1000DaysKS](https://www.facebook.com/First1000DaysKS)

Twitter: [@first1000daysks](https://twitter.com/first1000daysks)

Instagram: [@First1000DaysKS](https://www.instagram.com/First1000DaysKS)

Questions or Suggestions: info@ksbreastfeeding.org