NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

Democrats introduce workplace pregnancy bill despite Republican opposition

Tom Gallagher | Sep. 26, 2012 NCR Today

It takes Democrats in the U.S. House of Representatives and in the Senate to introduce similar bills to protect pregnant women in the workplace. The House legislation was introduced a few months back. The Senate bill was just introduced. Two cases in particular are highlighted in this Huffington Post story [1] where pregnant women were fired for unauthorized, minor accommodations related to their pregnancies.

I was unable to find any public support of this legislation by the U.S. Catholic bishops for this legislation proposed by Democrats at the bishops' website [2] or on the Internet. Perhaps it's there, but several search attempts came up empty.

Where are the U.S. bishops condemning so-called "pro-life" Republicans, especially the 50-plus Catholic Republicans in the House, for their refusal to pass legislation in support of working pregnant women? Where are the press releases congratulating the Democratic legislators for taking the initiative to draft, sponsor and co-sponsor this legislation? Where are the letters to Congress encouraging Republicans to agree to this legislation?

Surely, the U.S. bishops can applaud the Democrats and scold the Republicans in this case, which is an obvious case for bipartisanship.

(Again, maybe there is U.S. bishops conference support for the legislation out there, but I couldn't find it. If anyone finds any public pronouncements, please post them in the comments section and I'll blog about them in the coming days.)

According to Govtrack.us [3], this bill has a 3 percent chance of passing, largely because of the House control by the conservative Republicans, which includes about 50 self-described "pro-life" politicians.

Govtrack.us describes itself as "public research and [it] follow[s] legislation in the United States Congress and the state legislatures. Our goal is to promote and innovate government transparency, civic engagement, and civic education through novel uses of technology."

The Huffington Post explains [1]:

> The Pregnant Workers Fairness Act (PWFA), introduced Friday by Sen. Jean Shaheen (D-N.H.) and Sen. Bob Casey (D-Pa.), would require employers to make the same kind of workplace accommodations for pregnant women that current law requires them to make for people with disabilities.
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> Under the Americans with Disabilities Act (ADA), these are called "reasonable accommodations," designed so that employees with disabilities can perform the job functions they were hired to do.
>
> Pregnancy, however, is not considered a disability. Instead, pregnant women are protected by the 1978

Pregnancy Discrimination Act, which makes it illegal to fire a woman just because she becomes pregnant. But employers can still refuse to accommodate pregnant women's basic, temporary medical needs at work, like Wiseman's request for a water bottle, essentially forcing them to choose between keeping their job and ensuring the health of their unborn child and themselves.

"As more and more women are working longer into their pregnancies, they deserve reasonable accommodations to maintain their safety and health," Sen. Shaheen said in a statement, adding that the bill would allow women "to work longer and more productively at their jobs while also providing for their families and helping strengthen our economy."

Women make up approximately half of the U.S. labor force, which includes more than 77 million working women, according to the National Women's Law Center (NWLC). Ensuring these women have the opportunity to work well into the third trimester of a pregnancy can be crucial for their families, and even more so for those women in hourly, low-wage jobs. In 2010, 41 percent of working mothers were their family's primary breadwinner.

A version of the Pregnant Workers Fairness Act was introduced in the House of Representatives this spring by New York Rep. Jerry Nadler (D-N.Y.). It currently has 109 co-sponsors, all of them Democrats. But even with the added step of the newly-introduced Senate legislation, the bill's chances of passage remain slim.

The Republican-controlled House has consistently opposed workplace bills like PWFA, which they argue place an unnecessary burden on businesses, lowering overall profits. The Senate is similarly inclined. Earlier this year, all 47 Senate Republicans voted to block a bill called the Paycheck Fairness Act, which would have facilitated the monitoring of gender disparities in pay, and would have protected employees who ask about pay discrepancies from retaliation. Women in the U.S. currently make about 77 cents for every dollar that men earn.

For more analysis of this bill and the history of litigation related to workplace discrimination of pregnant women, see Joanna Grossman's post [4] at Verdict.

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[1] http://www.huffingtonpost.com/2012/09/25/workplace-pregnancy-bill-opposition_n_1914062.html
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