



**Testimony for the House Economic Matters Committee
February 27, 2017**

**HB 1109 - State Government - Discrimination in Employment - Pregnancy
and Childbirth**

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SUPPORT

The ACLU of Maryland supports HB 1109, which would strengthen protections for women seeking reasonable accommodations in their place of employment for conditions related to pregnancy or childbirth.

Despite the enactment of the federal Pregnancy Discrimination Act in 1978, pregnant women, particularly blue-collar workers in male-dominated sectors, are routinely pushed out of the workplace by ostensibly "neutral" employment practices. Employers refuse to grant pregnant workers the minor accommodations (like light-duty work) that they regularly grant other workers with temporary physical impairments. This discrimination against pregnant workers and mothers contributes to the gender wage gap and to workplace inequality.

In 2013, Maryland enacted the Reasonable Accommodations for Disabilities Due to Pregnancy Act, which has helped many pregnant workers in Maryland get reasonable accommodations that allow them to continue working during their pregnancies. As such, current Maryland law allows employers to provide unpaid leave as an accommodation to pregnant workers. But this is often not the appropriate response if the worker can otherwise be reasonably accommodated and does not otherwise desire to suspend her employment.

This bill will: 1) clarify that all pregnant employees with a medical need for an accommodation are entitled to reasonable accommodations, not just employees who need accommodations as a result of pregnancy complications; and 2) ensure that a pregnant employee won't be forced onto leave when a reasonable accommodation would allow her to continue to work and support her family.

According to the U.S. Women's Chamber of Commerce, providing accommodations to pregnant workers benefits businesses by:

- Reducing turnover costs and improving the retention of pregnant employees;
- Increasing employee productivity, engagement and morale; and
- Reducing litigation costs associated with defending discrimination claims brought by pregnant workers.¹

For these reasons, we urge you to issue a favorable recommendation for HB 1109.

¹ U.S. Women's Chamber of Commerce, *Letter to Congress* re: Business Support for the Pregnant Workers Fairness Act (Aug. 2012), available at <http://www.nationalpartnership.org/research-library/workplace-fairness/pregnancy-discrimination/letter-to-congress-from-us-womens-chamber-of-commerce-support-pwfa.pdf>.

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