

April 13, 2021

Senator Shelley Moore Capito  
172 Russell Senate Office Building  
Washington, DC 20510

Re: Support the Pregnant Workers Fairness Act

Dear Senator Capito:

Physicians for Reproductive Health (PRH) is committed to improving access to comprehensive reproductive health care, including the full range of pregnancy related care in West Virginia. In furtherance of this goal, we urge you to support the Pregnant Workers Fairness Act either as a primary sponsor or cosponsor of this critical legislation. PRH is a physician-led advocacy organization that works to improve access to comprehensive health care. Our network includes physicians of all specialties from across the country, including constituents in West Virginia.

Modeled after the Americans with Disabilities Act, the Pregnant Workers Fairness Act would require employers to provide reasonable, temporary workplace accommodations to pregnant workers as long as the accommodation does not impose an undue hardship on the employer. This bill is essential – none of our patients should have to choose between having a healthy pregnancy and supporting their families.

As providers we know that most pregnant workers can expect a routine pregnancy and healthy birth. However, some pregnant people must make adjustments in their work activities to sustain a healthy pregnancy and prevent adverse pregnancy outcomes, including preterm birth or miscarriage. These medically necessary workplace accommodations can include simple things such as allowing additional bathroom breaks, opportunities to stay hydrated, lifting restrictions, or access to a chair or stool to decrease time spent standing.

Unfortunately, too many pregnant workers, particularly pregnant workers of color, face barriers to incorporating even these small changes to their workdays. Workplace accommodations help safeguard a healthy pregnancy or prevent harm to a higher-risk pregnancy. Too many of our patients continue to be denied simple, no cost or low-cost temporary adjustments in their work settings and instead risk being fired or forced to take unpaid leave to preserve their health.

Pregnant workers with low wages in physically demanding jobs, which are disproportionately held by people of color, feel the impact most acutely. These basic accommodations are even more important during the pandemic. A study published in the American Journal of Obstetrics and Gynecology on February 16, 2021 found that the COVID-19 infection rate in pregnant people was 70 percent higher than similarly aged adults. During this time, an accommodation could be as simple as working in a non-COVID wing of a hospital. A lack of basic accommodations during pregnancy puts our patients in an impossible situation – continue working without accommodations or put their health at risk.

The Pregnant Workers Fairness Act is a measured approach to a serious problem. As providers currently working in West Virginia or who have ties to the state, we understand the importance

of reasonable workplace accommodations to ensure that pregnant people can continue to provide for their families and have safe and healthy pregnancies.

We urge you to support this critical legislation by joining the bill as a primary sponsor or original cosponsor. If you would like to be a primary sponsor or original cosponsor please contact Sara Maskornik ([sara\\_maskornick@help.senate.gov](mailto:sara_maskornick@help.senate.gov)) with Senator Casey's office.

Please do not hesitate to reach out if you have any questions or concerns.

Sincerely,