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Indiana Organizations Support Legislation to Provide Reasonable Accommodations for Pregnant Workers

The organizations listed below ask the Indiana General Assembly to pass legislation granting pregnant and lactating workers the right to reasonable accommodations on the job. Unfortunately, in Indiana today, some women, especially those in low-wage or physically demanding positions, are still pushed off the job or forced onto leave when all they need is a small work modification, such as a stool or water bottle. Such legislation would facilitate healthy pregnancies and healthy babies, promote the economic security of women and their families, provide clear expectations for employers, and boost our economy.

Employers are already expected to provide reasonable accommodations for workers with disabilities. But because pregnancy is not, in and of itself, considered a disability, pregnant and lactating workers are not necessarily covered by the Americans with Disabilities Act (ADA) even though they may need small accommodations such as a stool or water bottle to remain on the job safely. While pregnant and lactating women do have protections from discrimination under the federal Pregnancy Discrimination Act (PDA), the law has led to confusion among both employers and employees with regard to workplace accommodations, because the law hinges on whether an employer is already accommodating other workers or not.

Why does this matter? The workforce has changed, and in many families, women are now sole or primary breadwinners, with over 317,000 Indiana households headed by women. Women who cannot afford to lose their job, but need small accommodations, may be afraid to ask their employer for adjustments, or may continue working in dangerous conditions. Nationwide, an estimated 250,000 pregnant women are denied small accommodations each year. Even more report that they are afraid to ask.

In Indiana, nearly 85,000 women give birth every year, and our state has a 10% premature birth rate. Research has found reductions in pre-term birth when women modify their exposure to certain work conditions. Legislation assuring pregnant women that their employer will work with them to make any necessary small changes at work can reduce the risk of preterm birth.

Being able to continue working not only ensures that women can continue to bring home a paycheck, but also allows them to maintain seniority, keep their health care coverage, and stay in the running for advancement opportunities. It may also increase the likelihood that families can bond and new mothers can breastfeed after a child is born because they have not had to use up accrued time off during pregnancy.

This law may also improve overall health and employers' bottom line. A pregnant worker accommodation law will increase employee retention and morale, and reduce employers' turnover and training costs, which can be quite high. It would also help employers avoid costly litigation by providing clearer guidelines for employers so they can anticipate their responsibilities. Furthermore, ensuring pregnant workers stay safe on the job will reduce healthcare costs. Each premature/low birth weight baby costs employers an additional \$49,760 in newborn health care costs. When maternal costs are added, employers and their employees pay \$58,917 more when a baby is born prematurely.

Ensuring that pregnant women receive workplace accommodations would also boost Indiana's economy in a variety of ways. It would reduce the number of preterm births, increase the labor force attachment of women, and ensure that families can continue to earn a paycheck when they most need it. In short, this is a common-sense move, and Indiana would join 27 other states that have already clarified their expectations for employers and pregnant workers. We, the undersigned organizations, urge support for this commonsense legislation.

Indiana Breastfeeding Coalition

Indiana Chapter of the American Academy of Pediatrics

Indiana Minority Health Coalition

Indiana Section American College of OBGYN

March of Dimes

The Little Timmy Project

The Milk Bank

CorComm Creative

Cummins Inc.

Eli Lilly and Company

Etica Group

Greater Louisville Inc.

IndyChamber

National Association of Women Business Owners

Roche Diagnostics Corporation

Salesforce

Melissa S. Brown & Associates, LLC

A Better Balance

AAUW Indianapolis Branch

ACLU Indiana

Building A Thriving Compassionate Community

Hoosier Action

Indiana Coalition Against Domestic Violence

Indiana Community Action Association

Indiana Friends Committee on Legislation

Indiana Institute for Working Families

Indianapolis Urban League

Marion County Commission on Youth

Mother Hubbard's Cupboard

United Food and Commercial Workers Local 227

Unite Here Local 23

Women4Change

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