

HB0200 Wyoming pregnant worker fairness act

No woman in Wyoming should have to choose between the health of her pregnancy and her job. The Wyoming Pregnant Workers' Fairness Act would ensure that pregnant workers are given fair treatment on the job, provide clearer expectations for employers, and boost Wyoming's economy.

Why is this bill necessary?

- HB0200 will provide much needed clarity for employers in ways federal laws do not, leading to upfront and informal resolutions among employers and employees. The law will help *prevent* problems before they start. Clarity is particularly crucial for small businesses.
- Gaps in federal laws leave many workers without protections and creates confusion among both employers and employees with regard to workplace accommodations. While pregnant and breastfeeding women have some protections from discrimination under the federal Pregnancy Discrimination Act, those protections are limited—employers only need to accommodate pregnant workers if they already provide accommodations to other workers. And the Americans with Disabilities Act does not require accommodations for pregnancies that do not qualify as disabilities under the Act.
- Twenty-four states, including Utah, Colorado, North Dakota, and Nebraska already require certain employers to provide accommodations to pregnant employees.

How will this bill help employers?

- Avoid costly litigation by providing clear guidelines for employers so they can understand and anticipate their responsibilities.
 - At least two states with pregnant worker fairness laws have reported a reduction in litigation since the laws went into effect and other states have seen no increase.
- In Utah, the Davis Chamber of Commerce said, “We not only think it’s the right thing to do, but we think that keeping women in the workforce is smart.”
- Ensuring pregnant workers stay safe on the job will reduce employers’ 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.

How will Wyoming’s economy benefit?

- This bill will save taxpayers money in the form of unemployment insurance, Medicaid costs, and other public benefits.
- The State must increase the participation of women, including pregnant women, in the workforce to strengthen its economy.

How will pregnant women benefit?

- Women who need income but lack accommodations are often forced to continue working under unhealthy conditions, having no choice but to risk their own health as well as the health of their babies.
- Nearly one in 10 babies in Wyoming are born pre-term, and 60% of counties in the state are seeing the rates worsen by the year. Physically demanding work, where accommodations are more often necessary but too often unavailable, has been associated with an **increased risk for preterm birth and low birth weight**.

Currently, pregnant women can be pushed out of their jobs because the law does not explicitly guarantee reasonable accommodations for pregnancy, breastfeeding, and childbirth. This means pregnant workers who simply need a stool to sit on, access to water to stay hydrated, or temporary relief from heavy lifting are at risk. This measure would explicitly ensure employers can reasonably accommodate employees with medical conditions related to pregnancy and breastfeeding when necessary **unless it would cause an undue hardship** on the employer.