



State Senator
TINA MAHARATH

3rd District

Sponsor Testimony
Senator Tina Maharath
Senate Bill 94
Government Oversight and Reform Committee
Tuesday September 10, 2019

Good afternoon, Chairman Coley, Vice Chair Huffman, Ranking Member Craig, and members of the Senate Government Oversight and Reform Committee. Thank you for the opportunity to present Senate Bill 94, legislation that will strengthen pregnancy accommodation and anti-discrimination standards in Ohio.

Since Congress passed the Pregnancy Discrimination Act in 1978, states have taken the initiative to pass legislation to fill in the gaps of obstacles pregnant workers and new mothers face that are not protected under the federal law. According to a National Partnership for Women and Families 2016 Report, pregnant women filed more than 30,000 complaints of pregnancy discrimination with the U.S. Equal Employment Opportunity Commission or a state-level employment fairness agency between 2012 and 2016. The Pregnant Workers Fairness Act would help end pregnancy discrimination in the workplace, promote healthy pregnancies and protect the economic security of pregnant women and their families.

More than eighty-five percent of women will become mothers at some point in their working lives. Pregnant women who continue working are generating income and stability for their families. When pregnant women are fired or are improperly accommodated by being asked to go home for any period of time during their pregnancy, they and their families lose critical income, and they may struggle to re-enter a job market that can be unforgiving to new mothers. This legislation requires an interactive process between employers and pregnant workers to determine appropriate reasonable accommodations for their individual circumstances.

Women are often denied small accommodations that would enable them to continue working and supporting their families. The bill establishes clarity and predictability in that employers must provide reasonable accommodations for limitations arising out of pregnancy, childbirth or related medical conditions and post-pregnancy conditions, unless doing so would pose an undue hardship on the employer. Currently, there is no Ohio statute that expressly requires employers to provide reasonable accommodations for expressing breast milk or breastfeeding nor is there an Ohio statute that expressly requires employers to provide break time or space to express breast milk or breastfeed. This legislation also protects pregnant workers and new mothers from punishment for requesting such accommodations.



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Twenty-five states, including Alaska, Arkansas, Kentucky, Indiana, Tennessee, South Carolina, West Virginia, and Utah now have pregnancy discrimination laws or reasonable accommodation laws in place; eighteen of those states have been enacted the legislation in the last ten years. Our neighboring states of Kentucky and Indiana both have anti-discrimination laws protecting pregnant workers, as well as recently passed laws to require employers to provide reasonable accommodations for lactation, including break time and private, non-bathroom space for expressing breast milk, unless the accommodation imposes an undue hardship.

In other states, enhanced pregnant worker protection legislation has received impressive bipartisan support. It is far past time for Ohio to join other states in truly protecting the lives of working mothers and their unborn or newly born children. I appreciate your attention to this important issue and I respectfully request your favorable consideration of Senate Bill 94. Thank you and I am happy to respond to questions from the committee.