



EMPLOYER LAW BLOG

EEOC Alert: Agency Proposes Extensive New Rules for New Pregnancy Law

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On August 7, 2023, the Equal Employment Opportunity Commission (EEOC) published its proposed regulations for interpretation and enforcement of a new federal law, the Pregnant Workers Fairness Act (PWFA). The PWFA became effective on June 27, 2023.

While federal law has banned employment discrimination based on pregnancy since the Pregnancy Discrimination Act was passed in 1978, it did not contain a requirement for employers to reasonably accommodate pregnant workers. The PWFA, however, now introduces such a requirement.

With this new law on the books, the EEOC has published regulations to provide guidance on the law's meaning, interpretation, and enforcement. The proposed new rules span over 275 pages. They are scheduled to be published in the Federal Register on August 11.

Employers across the country should take proactive efforts to familiarize themselves with this new and its accompanying regulations, as well as update their policies and procedures with regard to reasonable accommodations and work rules related to pregnancies. The EEOC has already started accepting charges of discrimination based upon this new law.

Do not hesitate to contact a member of our Labor & Employment Team at Sandberg Phoenix to discuss this changing legal landscape and your business needs.