

HB 349 -- PREGNANT WORKERS' FAIRNESS ACT

SPONSOR: Newman

This bill establishes the Pregnant Workers' Fairness Act, which makes it an unlawful employment practice for an employer to:

- (1) Refuse to make reasonable accommodations to the known limitations related to the pregnancy, childbirth, or related medical conditions of a job applicant or employee if the employer is provided with written documentation from the applicant's or employee's health care provider that specifies those limitations, unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business;
- (2) Deny employment opportunities to a job applicant or employee based on the employer's refusal to make reasonable accommodations to the known limitations related to the pregnancy, childbirth, or related medical conditions of an employee or applicant;
- (3) Require a job applicant or employee affected by pregnancy, childbirth, or related medical conditions to accept an accommodation that the applicant or employee chooses not to accept; or
- (4) Require an employee to take leave under any leave law or policy of the employer if another reasonable accommodation can be provided to the known limitations related to the pregnancy, childbirth, or related medical conditions of an employee.

The Commission on Human Rights, the Attorney General, or any employee or job applicant alleging an unlawful employment practice under the Pregnant Workers' Fairness Act is entitled to all the powers, procedures, and remedies provided in Chapter 213, RSMo.

It is unlawful for an individual to be discriminated against because the individual has opposed an unlawful action or practice under the Pregnant Workers' Fairness Act or because the individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the act. The remedies and procedures otherwise provided for under the act will be available to aggrieved individuals with respect to violations of this provision.

Nothing in the act should be construed to invalidate or limit the remedies, rights, and procedures that provide greater or equal protection for workers affected by pregnancy, childbirth, or related medical conditions.

On October 1 of each year, the commission must report to the Governor and General Assembly the number of complaints filed under this act during the previous year and the resolution of the complaints.