



INDIANA COMMUNITY ACTION POVERTY INSTITUTE

Research and Public Policy

FOR IMMEDIATE RELEASE: April 15, 2024

Contact: Zia Saylor | zsaylor@incap.org

Indianapolis, IN - Today, the Equal Employment Opportunity Commission (EEOC) released final regulations and interpretive guidance on understanding and realizing the Pregnant Workers Fairness Act (PWFA), which went into effect on June 27, 2023. Today's rules go into effect June 18, 2024, and provide key protections for interpreting the PWFA including:

- Emphasizing the need for a timely response from employers, and that not doing so counts as a violation of the PWFA;
- Defining covered medical conditions as ones affected by pregnancy and childbirth, including pre-existing conditions exacerbated by pregnancy or childbirth;
- Including lactation, miscarriage, infertility, menstruation, and abortion conditions that may be considered related to pregnancy and childbirth;
- Explanation of “reasonable documentation” that employers can ask for to validate the existence of the condition being experienced, its relation to pregnancy, and need for workplace accommodation;
- Expanding the definition and prohibition of PWFA-related retaliation.

Importantly, this list is not exhaustive—the EEOC emphasized in its release that the examples they provided within today's release do not [“cover every limitation or possible accommodation under the PWFA.”](#)

The EEOC also identified a list of four accommodations that they noted will be considered reasonable in almost all cases, including access to food and water during work, additional bathroom breaks, providing a seat to standing workers, and breaks for eating/drinking.

These protections are especially important in Indiana, which has the [third highest maternal mortality rate](#) in the nation, and [a disproportionately high rate of poverty](#) among single mothers, who bear the costs and potential income loss of childbirth alone. PWFA protections passed largely as a result of advocacy around these two issues, with numerous studies citing the [maternal and natal health risks](#) from mistreatment of pregnant workers and [widespread discrimination](#) faced in the workplace.

“The EEOC’s new guidelines offer greater clarity that will protect and empower pregnant and postpartum workers in Indiana, helping ensure that these workers don’t have to choose between work and family planning decisions,” said Zia Saylor, Research and Communications Associate at the Indiana Community Action Poverty Institute. “These federal protections are especially crucial as Indiana lacks state-level protections, leaving pregnant and postpartum workers reliant on the federal guidelines. Even though there is still work to be done to remedy gender inequalities, having these rules creates a climate of worker empowerment and one in which fertility choices can be further separated from financial realities.”

To ensure that the legal reality of the PWFA aligns with workers’ lived realities, the Women’s Fund of Central Indiana has partnered with the Indiana Community Action Poverty Institute for a Know Your Rights campaign from January 2024 to December 2024. Through this campaign, the Institute will be distributing information on the law, its enforcement, and sources of community support for pregnant and postpartum workers navigating the PWFA. The next part of this effort will be a Train the Trainer event on June 18, from 11:00am to 1:30pm in Indianapolis, to help allies learn the law and empower others. Registration is online at tinyurl.com/INCAP-PWFA-TTT.

###

About the Indiana Community Action Poverty Institute

The Indiana Community Action Poverty Institute engages in research and promotes public policies to help Hoosier families achieve and maintain financial well-being. We believe that when Hoosiers are financially stable, they can achieve their full potential and better contribute to their communities. The Institute is a program of the Indiana Community Action Association.



Our Contact Information

{{Organization Name}}

{{Organization Address}}

{{Organization Phone}}

{{Organization Website}}

{{Unsubscribe}}