



MEMORANDUM IN SUPPORT

S.1479 (Krueger) / A.1264 (Gunther)

AN ACT to amend the executive law, in relation to requiring the provisions of reasonable accommodations for pregnant women

The New York State Association of Licensed Midwives ("NYSALM"), which represents the interests of licensed midwives as well as the welfare of women, children and families, voices its support for and strongly urges lawmakers to pass the legislation proposed by Senator Liz Krueger and Assemblywoman Aileen Gunther requiring New York employers to provide reasonable accommodations to pregnant women (**S.1479/A.1264**).

Historically, midwives have advocated for the improvement of maternal and child health. Over the past decade, NYSALM has maintained that tradition by representing the interests of licensed midwives in New York State in their role as health care providers for women and newborns. NYSALM, which is in a unique position to understand the needs of pregnant women, believes that the pending legislation in the New York State Legislature requiring employers to provide reasonable accommodations to pregnant women in the workplace is a practical and necessary way to ensure the health and economic welfare of women, children and families.

Although employers in New York State are required to make reasonable workplace accommodations to individuals with disabilities, that requirement does not extend to pregnant women. As a result, pregnant women are often denied small workplace modifications such as additional restroom breaks or a temporary dispensation from lifting heavy objects. The failure to allow such adjustments often leads to a woman's termination from employment or forces her to take unpaid leave due to temporary inability to fulfill certain job duties. Since women are in many cases the primary breadwinner or the sole source of income to a family, when the failure to allow reasonable accommodations leads to unpaid leave or termination, pregnant women may be forced to rely on taxpayer assistance through Medicaid, WIC and other government programs. The proposed legislation requiring reasonable accommodation allows pregnant women who are willing and able to work -- but for the temporary limitations of pregnancy -- to continue to support themselves and their families. The costs of such interim accommodations are minimal to employers and supports stability in an individual employer's workforce.

Making temporary accommodations that assist a woman to safely work through the duration of her pregnancy promotes public health by giving women access to economic resources for both prenatal and newborn care. Accommodating a safe working environment during pregnancy also allows women to shift focus to the time period after a child's birth when she can focus on bonding, breastfeeding and her own physical recovery.

For these reasons, NYSALM strongly supports the passage of **S.1479/A.1264**.