

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 276 Session of  
2025

INTRODUCED BY CAPPELLETTI, HUGHES, SAVAL, KEARNEY, COLLETT,  
SCHWANK, HAYWOOD, COMITTA, TARTAGLIONE, COSTA AND KANE,  
FEBRUARY 20, 2025

REFERRED TO LABOR AND INDUSTRY, FEBRUARY 20, 2025

AN ACT

1 Promoting family health and economic security by eliminating  
2 discrimination and ensuring reasonable workplace  
3 accommodations for workers whose ability to perform the  
4 functions of a job are limited by pregnancy, childbirth or a  
5 related medical condition; and imposing duties on the  
6 Pennsylvania Human Relations Commission.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Short title.

10 This act shall be known and may be cited as the Pregnant  
11 Workers Fairness Act.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 "Commission." The Pennsylvania Human Relations Commission.

17 "Covered entity." The Commonwealth, a political subdivision  
18 or board, department or commission of the Commonwealth, a school  
19 district and a person employing one or more persons within this

1 Commonwealth.

2 "Person." One or more individuals, partnerships,  
3 associations, organizations, corporations, legal  
4 representatives, trustees in bankruptcy or receivers. The term  
5 includes any owner, lessor, assignor, builder, manager, broker,  
6 salesman, agent, employee, independent contractor and lending  
7 institution and the Commonwealth and all political subdivisions,  
8 authorities, boards and commissions thereof.

9 "Reasonable accommodation." A modification to the work  
10 environment to enable an employee to continue working despite  
11 limitations due to pregnancy, childbirth or related medical  
12 conditions that do not present an undue hardship on the  
13 employer. A reasonable accommodation may include:

14 (1) Providing a chair, assistance with heavy lifting,  
15 access to drinking water or uncompensated break time.

16 (2) Temporary job restructuring, part-time or modified  
17 work schedules, reassignment to a vacant position,  
18 acquisition or modification of equipment or devices,  
19 appropriate adjustment or modifications of examinations and  
20 other similar accommodations.

21 Section 3. Reasonable accommodations related to pregnancy,  
22 childbirth or related medical conditions.

23 (a) Unlawful practice.--It shall be an unlawful employment  
24 practice for a covered entity to:

25 (1) Refuse an employee's or prospective employee's  
26 request for reasonable accommodations for limitations related  
27 to pregnancy, childbirth or related medical conditions,  
28 unless the covered entity can demonstrate that the  
29 accommodation would impose an undue hardship on the covered  
30 entity's operations.

1           (2) Deny employment opportunities to an employee or  
2       prospective employee if the denial is based on the employee's  
3       or prospective employee's need for an accommodation related  
4       to pregnancy, childbirth or related medical conditions.

5           (3) Require an employee or prospective employee to  
6       accept an accommodation that changes the terms, privileges or  
7       conditions of the employee or prospective employee's  
8       employment, including reductions in pay or hours or changes  
9       in shifts or location, unless requested or agreed to by the  
10      employee or prospective employee.

11          (4) Require an employee to take leave under any policy  
12      of the covered entity or law if other reasonable  
13      accommodations can be provided to address the employee's  
14      limitations related to pregnancy, childbirth or related  
15      medical conditions that would enable the employee to continue  
16      working.

17      (b) Undue hardship.--The covered entity shall have the  
18      burden of proving undue hardship under subsection (a)(1). The  
19      factors to be considered in determining whether a requested  
20      accommodation presents an undue hardship to the covered entity  
21      include:

22          (1) The overall size and nature of the covered entity,  
23      its structure, the composition of its workforce and the  
24      number and type of facilities.

25          (2) The extent, nature and cost of the requested  
26      reasonable accommodation.

27      (c) Nondiscrimination.--A person may not discriminate or  
28      retaliate against an individual because the individual has  
29      opposed any act or practice made unlawful by this act or because  
30      the individual made a charge, testified, assisted or

1 participated in any manner in an investigation, proceeding or  
2 hearing under this act.

3 Section 4. Remedies and enforcement.

4 A person claiming discrimination in violation of section 3  
5 may take either of the following actions:

6 (1) If otherwise permitted by the laws or rules of this  
7 Commonwealth, bring an action for preliminary injunctive  
8 relief in an appropriate court. Any order or relief shall be  
9 granted in accordance with Pa.R.C.P. No. 1531 (relating to  
10 Special Relief. Injunctions.).

11 (2) Make, sign and file with the commission a verified  
12 complaint in writing pursuant to the procedures specified in  
13 the act of October 27, 1955 (P.L.744, No.222), known as the  
14 Pennsylvania Human Relations Act, with all appeals,  
15 enforcement mechanisms, judicial review and remedies,  
16 including damages and attorney fees, available under that  
17 act.

18 Section 5. Notice.

19 The commission shall develop and publish a written notice  
20 regarding employees' rights under this act. Employers shall  
21 display the notice in plain view in the workplace.

22 Section 6. Rulemaking.

23 Not later than two years after the effective date of this  
24 section, the commission shall issue regulations in an accessible  
25 format to effectuate the policies and provisions of this act.

26 Section 7. Effective date.

27 This act shall take effect in 60 days.