



e-NEWSLETTER

Information on workplace rights, safety and health, and accessibility in the legislative branch



THE PREGNANT WORKERS FAIRNESS ACT

The Pregnant Workers Fairness Act (PWFA) was signed into law on December 29, 2022. The PWFA, which goes into effect on June 27, 2023, requires employers to provide “reasonable accommodations” to an employee’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.” The PWFA applies only to accommodations – existing Congressional Accountability Act (CAA) protections already made it illegal to discriminate on the basis of pregnancy, childbirth, or related medical conditions. The PWFA applies to all employing offices in the legislative branch, and protects all “covered employees” as defined by the CAA (including applicants), as well as unpaid staff.

Under the PWFA, employing offices cannot:

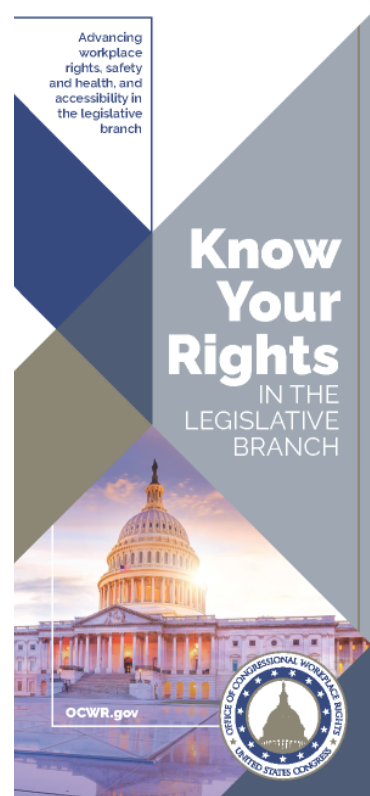
- Require an employee to accept an accommodation without an interactive discussion;
- Deny employment opportunities based on the person’s need for a reasonable accommodation;
- Require an employee to take leave if another reasonable accommodation can be provided;
- Retaliate against an individual for exercising PWFA rights; or
- Interfere with any individual’s rights under the PWFA.

Although the PWFA does not go into effect until June 27, 2023, a pregnant worker may have a right to receive an accommodation or take leave before June 27 under the CAA’s provisions applying Title VII, the Americans with Disabilities Act, or the Family and Medical Leave Act to the legislative branch. CAA procedures for adjudicating employment discrimination claims in the legislative branch will also apply to adjudication of PWFA claims. The Office of Congressional Workplace Rights (OCWR) will be implementing regulations for the PWFA in the legislative branch.

Know Your Rights in the Legislative Branch

The OCWR has a new brochure, “Know Your Rights in the Legislative Branch,” that outlines the work of the OCWR and details the administration and enforcement of the CAA in the legislative branch.

The brochure can be downloaded from the [OCWR website](https://www.ocwr.gov). Printed copies are available by contacting the OCWR.



TRAINING CORNER

The OCWR will be hosting pop-up training sessions on the Congressional Accountability Act (CAA) and Bystander Intervention. The CAA webinar will explain the role of the OCWR in administering and enforcing the CAA and review the rights and responsibilities of covered legislative branch employees under the CAA. The Bystander Intervention training will discuss “The Bystander Effect” and will promote intervention strategies for the workplace. To register, click on the links below.

[The Congressional Accountability Act June 27, 2023](#)

[Bystander Intervention June 14, 2023](#)

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OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS