

September 20, 2023

Mr. Raymond Windmiller
Executive Officer, Executive Secretariat
U.S. Equal Employment Opportunity Commission
131 M Street NE
Washington, DC 20507.

RIN number 3046–AB30

Pro-Family Women respectfully submits these comments in opposition to the proposed “Regulations to Implement the Pregnant Workers Fairness Act,” 88 Fed. Reg. 54714 (Aug. 11, 2023).

The Equal Employment Opportunity Commission (EEOC) takes a law designed to ensure that employers make reasonable accommodations for pregnant women employees so that a woman can healthily carry her pregnancy to term while continuing to work, and turns it into a law requiring employers to make accommodations so that employees can terminate their pregnancies.

The Equal Employment Opportunity Commission is exceeding its authority by including an abortion mandate into the Pregnant Workers Fairness Act. The statutory law, the Pregnant Workers Fairness Act, does not mention abortion, but the EEOC now reads an abortion mandate into the law. The EEOC requires employers to make “reasonable accommodations” for employees’ elective abortions.

The statutory law requires employers to “make reasonable accommodations” for an employee’s “pregnancy, childbirth, or related medical conditions.” The EEOC has taken this language and by way of its proposed regulations, interpreted “related medical conditions” to include “termination of pregnancy, including via . . . abortion.” But abortion is not “related” to “pregnancy” or “childbirth” because abortion terminates a pregnancy and prevents childbirth. The EEOC exceeds its authority by promulgating this strained interpretation of the statutory law. As a result, employers will have to provide leave (accrued paid leave and/or unpaid leave) for abortions.

The language in these proposed regulations adds “abortion” which is the antithesis to the original intent of the law, and omits the word “women” – the very people the law was written to protect.

The proposed regulation lacks meaningful conscience protection language for employers who are not “religious organizations” but who oppose abortion on moral grounds. The proposed EEOC regulations are a threat to the religious freedom

of employers, since under the regulations there is no meaningful conscience protection for those employers who do not want to provide leave for an abortion based on moral grounds. Moreover, women employees who want time off for an abortion could charge discrimination and involve employers in expensive court cases.

It is important for society to defend God's precious creation of life, womanhood, and stable families, which are gifts for our society's well-being.

Sincerely,

Susan T. Muskett, J.D.
President
Pro-Family Women