

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 136 entitled “An act relating to
4 accommodations for pregnant employees” respectfully reports that it has
5 considered the same and recommends that the Senate propose to the House that
6 the bill be amended by striking out all after the enacting clause and inserting in
7 lieu thereof the following:

8 Sec. 1. 21 V.S.A. § 495d is amended to read:

9 § 495d. DEFINITIONS

10 As used in this subchapter:

11 * * *

12 (14) “Pregnancy-related condition” means a limitation of an employee’s
13 ability to perform the functions of a job caused by pregnancy, childbirth, or a
14 medical condition related to pregnancy or childbirth.

15 Sec. 2. 21 V.S.A. § 495k is added to read:

16 § 495k. ACCOMMODATIONS FOR PREGNANCY-RELATED

17 CONDITIONS

18 (a)(1) It shall be an unlawful employment practice for an employer to fail
19 to provide a reasonable accommodation for an employee’s pregnancy-related
20 condition, unless it would impose an undue hardship on the employer.

1 (2) An employee with a pregnancy-related condition, regardless of
2 whether the employee is an “individual with a disability” as defined in
3 subdivision 495d(5) of this subchapter, shall have the same rights and be
4 subject to the same standards with respect to the provision of a reasonable
5 accommodation, pursuant to this subchapter, as a qualified individual with a
6 disability as defined in subdivision 495d(6) of this subchapter.

7 (b) Nothing in this section shall be construed to diminish the rights,
8 privileges, or remedies of an employee pursuant to federal or State law, a
9 collective bargaining agreement, or an employment contract.

10 (c) An employer shall post notice of the provisions of this section in a form
11 provided by the Commissioner in a place conspicuous to employees at the
12 employer’s place of business.

13 Sec. 3. EFFECTIVE DATE

14 This act shall take effect on January 1, 2018.

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18 (Committee vote: _____)

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Senator _____

FOR THE COMMITTEE