



February 24, 2020

SUMMARY OF ORIGINAL BILL: Establishes the Tennessee Pregnant Workers Fairness Act (Act) This Act sets a presumption that any reasonable accommodations provided for employees with medical conditions be extended to employees who are pregnant. Establishes a definition for “reasonable accommodation” and defines what actions would fall under an unlawful employment practice with regards to actions against pregnant employees. Specifies that this Act only applies to employers who have 15 or more employees.

Authorizes any person, against whom a violation of this Act has been committed, to see recourse by bringing a civil action in the appropriate court. Authorizes a court to award back pay, compensatory damages, prejudgment interest, reasonable attorney’s fees, and any legal and equitable relief to effectuate to the purposes of the Act.

Requires the Commissioner of the Department of Labor and Workforce Development (DLWD) to enforce the provisions of this legislation.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015343): Deletes and replaces all language of the original bill without making any substantive changes to the legislation.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information provided by the DLWD, this legislation will have no significant impact on the Department’s current programs or policies.

- It is assumed that the provisions of this Act largely correlate with the current policies and programs of all state agencies and will have no significant impact on state government.
- Any impact upon local government is estimated to be not significant.
- There will not be a sufficient change in the number of prosecutions for state or local government to experience any significant change in revenue or expenditures.

IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- This Act could result in private businesses adopting policies and procedures that provide expanded rights for pregnant workers.
- It is assumed that difference between current policies in place at private businesses differ little from those required in this Act; therefore, this legislation is estimated to have no significant impact to commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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