

Charlotte A. Burrows
Chair
Equal Employment Opportunity Commission
131 M Street, NE, Washington, DC 20507

Jocelyn Samuels
Vice-Chair
Equal Employment Opportunity Commission
131 M Street, NE, Washington, DC 20507

Re: Proposed regulations for the Pregnant Workers Fairness Act and their impact on small business

Dear Chair Burrows and Vice-Chair Samuels:

As a leading representative of America's 33 million small businesses, we are pleased to provide comments to the Equal Employment Opportunity Commission's recently published proposed regulations. This is a timely and important issue for small business owners who are concerned about access to comprehensive reproductive health services for themselves and their employees.

Small Business Majority is a national small business organization that empowers America's diverse entrepreneurs to build a thriving and equitable economy. From our nine offices across the country, we engage our network of more than 85,000 small businesses and 1,500 business and community organizations to deliver resources to entrepreneurs and advocate for public policy solutions that promote inclusive small business growth. Our work is bolstered by extensive research and deep connections with the small business community that enable us to educate stakeholders about key issues impacting America's entrepreneurs, with a special focus on the smallest businesses and those facing systemic inequities.

Small Business Majority supports the Equal Employment Opportunity Commission's (EEOC) proposed regulations for the Pregnant Workers Fairness Act (PWFA) that will ensure comprehensive accommodations for employees during pregnancy, childbirth, and related medical conditions because small business owners support measures that will bolster their employees' health and financial security.

These rules are designed to be easy to implement without imposing undue burdens on employers. They further clarify that an employee who requires temporary accommodation due to pregnancy, childbirth, or related medical conditions can swiftly obtain it, ensuring that neither worker nor employer is significantly inconvenienced. Moreover, they secure protections for employees experiencing conditions related to pregnancy and childbirth—like abortion, miscarriage, use of birth control, infertility and fertility treatments, menstruation, and lactation—aligning with current laws and safeguarding wide-reaching access to PWFA's protections, which should be preserved in the EEOC's final rule. Small businesses, grappling with persistent worker shortages, seek policies that incentivize employee retention. We believe the proposed rules can facilitate this.

While some are opposed to a provision in the proposed rule clarifying access to accommodations related to abortion care, our polling found that [a strong majority of women small business owners](#) across party lines believe women should have unimpeded access to reproductive healthcare, including abortion care and birth control (76% total agree, 58% strongly agree). Women entrepreneurs similarly agree that it is important for their employees to have access to reproductive health services (71% agree/52% strongly agree) and that having the freedom to decide if and when to have children is an important part of their ability to make career choices (72% agree/52% strongly agree). Thus, limiting access to reproductive healthcare and workplace protections stands to jeopardize women's financial security and entrepreneurial endeavors, consequently impacting our economy overall.

In short, the Pregnant Workers Fairness Act provides a secure working environment for pregnant workers and new mothers by encouraging women to remain in or reenter the workforce, potentially inspiring and enabling them to explore entrepreneurial ventures. For these reasons, we endorse the EEOC's proposed regulations.

Sincerely,

John Arensmeyer, Founder & CEO