



## **LEGISLATIVE UPDATE**

**APRIL 2024 UPDATE**



Grover Wallace – GVHRA & Montana  
State Legislative Director

**GVHRA MISSION:** *To connect and inspire members to create a collaborative environment for people to do their best work*

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**MONTANA STATE CONFERENCE – MAKE SURE TO REGISTER SOON!**

**MAY 1<sup>ST</sup> – 3<sup>RD</sup>**

***Go online and register for the conference in Kalispell!***

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## **EEOC Releases Final Regulations for Pregnant Workers Fairness Act**

April 15, 2024

The U.S. Equal Employment Opportunity Commission (EEOC) final regulations for implementing the Pregnant Workers Fairness Act (PWFA) on April 15th.

After considering more than 100,000 public comments during a 60-day period, the EEOC aimed to clarify definitions and limitations of the law. For example, the PWFA only provides accommodations to qualified employees with limitations related to, affected by or arising out of pregnancy, childbirth or related medical conditions. The EEOC noted that whether a condition constitutes “pregnancy, childbirth, or related medical conditions” will be guided by existing Title VII precedent.

The PWFA, which [went into effect](#) on June 27, 2023, requires employers to provide reasonable accommodations for known limitations related to pregnancy, childbirth or related medical conditions unless the accommodation would cause the employer an undue hardship. The law applies to employers with 15 or more employees.

The [House Committee on Education and Labor Report on the PWFA](#) provided examples of possible reasonable accommodations, including:

- The ability to sit or drink water.
- Closer parking.
- Flexible hours.
- Appropriately sized uniforms and safety apparel.
- Additional break time to use the bathroom, eat and rest.
- Leave to recover from childbirth.

- Reassignment from activities that are strenuous or involve exposure to compounds that are not safe for pregnancy.

**SHRM LINK ARTICLE:** [EEOC Releases Final Regulations for Pregnant Workers Fairness Act \(shrm.org\)](#)

### SHRM GOVERNMENTAL AFFAIRS ADVOCACY REQUEST

President Biden has the opportunity to preserve workplace flexibility and predictability by supporting the Congressional Review Act (CRA) resolution, H.J.Res.98, which would effectively overturn the National Labor Relations Board's (NLRB) 2023 final rule on joint employer status.

**SHRM urges you to send a letter to the President to support this resolution and restore clarity and consistency to the workplace.**

The NLRB's 2023 final rule has generated significant concerns and garnered opposition from a wide range of stakeholders due to its lack of clarity and consistency in determining when two or more employers share responsibility for an employee. Specifically, the rule's broad definition of "joint employer" based on "indirect or reserved" control over a third party is problematic for many organizations that rely on various work arrangements to meet their needs and stay competitive.

Through bipartisan efforts, Congress expressed its opposition to the NLRB's 2023 final rule by advancing H.J.Res.98, reflecting the voice and will of stakeholders across the country. The resolution of disapproval will be sent to the President shortly, who has indicated that he will veto the measure. Should the President veto the CRA, this will effectively limit the options organizations will have to fulfill their needs with third parties, which in turn will limit opportunities for businesses and contractors.

**That is why your voice – the voice of HR – is needed, and we ask that you please urge President Biden to support H.J.Res.98. Text NLRB to 52886 or CLICK BELOW to take action**

[Urge Biden to Support H.J.Res.98 to Restore Clarity & Consistency to the Workplace \(shrm.org\)](#)

### House Passes WIOA Revamp, Modernizing Workforce Development

The nation's primary workforce development and training law was amended and reauthorized by lawmakers in the U.S. House of Representatives on April 9.

Originally enacted in 2014, the Workforce Innovation and Opportunity Act (WIOA) provides funding to state agencies to help job seekers access employment, education, training, and support services.

House lawmakers passed the bipartisan [H.R.6655 A Stronger Workforce for America Act](#) by a vote of 378-26, with another 26 not voting. The bill now goes to the Senate for consideration.

If enacted, the WIOA reauthorization would fund the system through 2030. The reauthorization aims to make improvements to WIOA to help close the national skills gap, provide more accountability in the system, and help U.S. workers obtain high-quality, well-paying jobs.

**SHRM ARTICLE LINK:** [House Passes WIOA Revamp, Modernizing Workforce Development \(shrm.org\)](#)

## **UPCOMING CALENDAR EVENTS:**

### **KEY DATES AND DEADLINES:**

### **MONTANA STATE SHRM CONFERENCE** **MAY 1 – 3<sup>RD</sup>, KALISPELL**

<b>APR</b> <b>30</b>	<a href="#">EEO-1 Filing Period Opens</a> The U.S. Equal Employment Opportunity Commission (EEOC) has announced the 2023 EEO-1 Component 1 data collection will open on April 30. The deadline to file the report is June 4.
<b>MAY</b> <b>31</b>	<a href="#">OSHA Walkaround Final Rule</a> In a final rule issued March 29, the Occupational Safety and Health Administration (OSHA) clarified that workers may authorize another employee or nonemployee to serve as their representative to accompany an OSHA compliance officer during a workplace inspection.
<b>JUN</b> <b>23</b>	<a href="#">SHRM Annual Conference &amp; Expo 2024 (Through June 26 in Chicago and virtually)</a> Join other forward-thinking HR professionals at the world's largest HR conference. Get ready for four days of learning, networking, inspiration and professional growth.

### **WEBCASTS/CONFERENCE SESSIONS**

#### **The Heart of HR**

April 23, noon ET / 9 a.m. PT

**Sponsor:** [UKG](#)

#### **FMLA: Qualifying Reasons and FAQs**

April 25, 2 p.m. ET / 11 a.m. PT

**Sponsor:** [J. J. Keller](#)

#### **Connecting Benefits Literacy and Employee Well-Being**

April 25, noon ET / 9 a.m. PT

**Sponsor:** [HealthEquity](#)

**THANK YOU!**

