



The League of Women Voters of New York State
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**THE LEAGUE
OF WOMEN VOTERS**
of New York State

**MEMORANDUM IN SUPPORT OF:
A.1142A (Jaffee)/S.2709A (Krueger)**

TO: New York State Senate & Assembly
DATE: June 5, 2015

SUBJECT: *An act to amend the labor law, in relation to discrimination based on an individual's or a dependent's reproductive health decision making*

The League of Women Voters of New York State (LWVNYS) strongly supports the Boss Bill (A.1142A/S.2709A), which would prohibit an employer from taking adverse employment action against an employee because the employee or a dependent made a reproductive health decision that conflicts with the employer's personal beliefs. The League believes that public policy in a pluralistic society must affirm the constitutional right of privacy of the individual to make reproductive choices. Therefore, for decades LWVNYS has vigorously opposed attempts to encroach upon a women's right to control her reproductive health. This legislation is necessary to protect that right.

In response to the Affordable Care Act (ACA) requirement that health insurance plans cover FDA-approved birth control methods without out-of-pocket costs, some for-profit employers have attempted to prevent employees from accessing this benefit because it conflicts with their personal beliefs. Employers should not interfere in a woman's personal medical decisions and should not be able to discriminate because of their personal beliefs. Unfortunately, loopholes in current state and federal law to protect against employment discrimination on the basis of sex and pregnancy leave employees vulnerable to such discrimination. The Federal Pregnancy Discrimination Act applies only to employers of 15 or more, leaving many employees unprotected from discrimination. The Boss Bill will strengthen and expand state law to ensure that an employer cannot retaliate against an employee because the employee or their dependent accessed care related to pregnancy, family planning, or any other reproductive health service. It will correct loopholes in the law and make clear that New York State will protect workers' abilities to make reproductive health care decisions without the fear of being fired or retaliated against.

LWVNYS strongly believes that New York State should continue its long history of guarding against discrimination in the work place and of protecting private reproductive healthcare decisions, and thus urges support and passage of the Boss Bill (A.1142A/S.2709A).