

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 1206

Short Title: Pregnant Workers Fairness Act/Funds. (Public)

Sponsors: Representatives Budd, Rubin, and Liu (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Appropriations, if favorable, Rules, Calendar, and Operations of the House

May 5, 2026

1 A BILL TO BE ENTITLED  
2 AN ACT TO ELIMINATE DISCRIMINATION AND PROMOTE WOMEN'S HEALTH AND  
3 ECONOMIC SECURITY BY ENACTING THE NORTH CAROLINA PREGNANT  
4 WORKERS FAIRNESS ACT AND APPROPRIATE FUNDING FOR  
5 IMPLEMENTATION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Effective January 1, 2027, Chapter 95 of the General Statutes is  
8 amended by adding a new Article to read:

9 "Article 24.

10 "Pregnant Workers Fairness Act.

11 **"§95-280. Title.**

12 This Article shall be known and may be cited as the "North Carolina Pregnant Workers  
13 Fairness Act."

14 **"§ 95-281. Definitions**

15 The following definitions apply in this Article:

16 (1) Covered entity. – Each of the following:

17 a. A private employer engaged in an industry affecting commerce who  
18 employs 15 or more employees.

19 b. The executive, judicial, and legislative branches of State government.

20 c. A unit of local government, including a county, city, or town.

21 (2) Employee. – Any individual employed by a covered entity, including an  
22 applicant for employment.

23 (3) Known limitation. – Any physical or mental condition related to, affected by,  
24 or arising out of pregnancy, childbirth, or related medical conditions that the  
25 employee or the employee's representative has communicated to the covered  
26 entity, regardless of whether that condition meets the definition of disability  
27 under the Americans with Disabilities Act of 1990, 42 U.S.C. § 12102.

28 (4) Qualified employee. – An employee or applicant who, with or without  
29 reasonable accommodation, can perform the essential functions of the  
30 employment position. An employee or applicant is also qualified if any  
31 inability to perform an essential function is for a temporary period, the  
32 essential function could be performed in the near future, and the inability to  
33 perform that function can be reasonably accommodated.

34 (5) Reasonable accommodation and undue hardship. – As defined in Section 101  
35 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12111, and



1 interpreted consistent with that Act and the regulations promulgated  
2 thereunder, including the interactive process for identifying and implementing  
3 an appropriate accommodation. Rules adopted by the Commissioner under  
4 G.S. 95-285 shall be consistent with this definition and shall not be construed  
5 to limit rights afforded under this Article.

6 **"§ 95-282. Unlawful employment practices.**

7 It is an unlawful employment practice for any covered entity to do any of the following:

- 8 (1) Fail or refuse to make reasonable accommodations to the known limitations  
9 of a qualified employee related to pregnancy, childbirth, or related medical  
10 conditions, unless the covered entity demonstrates that the accommodation  
11 would impose an undue hardship on the operation of its business.
- 12 (2) Impose an accommodation upon a qualified employee for a known limitation  
13 related to pregnancy, childbirth, or related medical conditions without first  
14 engaging in the interactive process with that employee to identify an effective  
15 accommodation.
- 16 (3) Require a qualified employee to accept a particular accommodation for a  
17 known limitation related to pregnancy, childbirth, or related medical  
18 conditions where an alternative accommodation identified through the  
19 interactive process would be equally effective and would not impose an undue  
20 hardship on the covered entity.
- 21 (4) Deny employment opportunities to a qualified employee where the denial is  
22 based on the need to make reasonable accommodations to that employee's  
23 known limitations related to pregnancy, childbirth, or related medical  
24 conditions.
- 25 (5) Require a qualified employee to take leave, whether paid or unpaid, where  
26 another reasonable accommodation can be provided to address that  
27 employee's known limitations related to pregnancy, childbirth, or related  
28 medical conditions.
- 29 (6) Take any adverse action in the terms, conditions, or privileges of employment  
30 against a qualified employee on account of that employee's request for or use  
31 of a reasonable accommodation for known limitations related to pregnancy,  
32 childbirth, or related medical conditions.

33 **"§ 95-283. Retaliation and coercion prohibited.**

34 (a) Nondiscrimination. – No covered entity or other person shall discriminate against any  
35 employee because that employee has opposed any act or practice made unlawful under this  
36 Article, or because that employee made a charge, testified, assisted, or participated in any manner  
37 in an investigation, proceeding, or hearing under this Article.

38 (b) No Intimidation. – No covered entity or other person shall coerce, intimidate,  
39 threaten, or interfere with any individual in the exercise or enjoyment of any right granted or  
40 protected by this Article, or on account of that individual having exercised or enjoyed such a  
41 right, or having aided or encouraged any other individual in doing so.

42 (c) Remedies. – The remedies and procedures available under G.S. 95-284 apply to  
43 violations of this section.

44 **"§ 95-284. Enforcement and remedies.**

45 (a) Private right of action. – Any employee aggrieved by a violation of this Article may  
46 bring a civil action in the Superior Court of the county where the violation occurred, where the  
47 covered entity maintains its principal place of business, or where the employee resides.

48 (b) Exhaustion. – Before filing a civil action under this section, an aggrieved State  
49 employee shall first exhaust any applicable State Human Resources Commission, or other  
50 grievance procedures, before filing suit.

1 (c) Remedies. In any civil action brought under this Article, the court may award the  
2 following:

- 3 (1) Injunctive relief, including reinstatement and reasonable accommodation.
- 4 (2) Back pay and lost benefits.
- 5 (3) Compensatory damages for future pecuniary losses, emotional pain and  
6 suffering, inconvenience, mental anguish, and loss of enjoyment of life.
- 7 (4) Punitive damages, where the covered entity engaged in an unlawful  
8 employment practice with malice or with reckless indifference to the rights of  
9 the aggrieved employee.
- 10 (5) Reasonable attorneys' fees and costs to a prevailing plaintiff.

11 (d) Damages limitation. – Compensatory and punitive damages may not be awarded  
12 under this section where the unlawful employment practice involves the provision of a reasonable  
13 accommodation and the covered entity demonstrates that it made good-faith efforts, in  
14 consultation with the affected employee, to identify and provide a reasonable accommodation  
15 that would offer an equally effective opportunity and would not cause undue hardship on the  
16 operation of the covered entity.

17 (e) State employees. – Nothing in this section shall be construed to waive the State's  
18 sovereign immunity beyond the extent expressly provided herein. An employee of the State or  
19 any of its agencies, institutions, or subdivisions may bring a civil action under this Article in  
20 State Superior Court, and the State shall not assert sovereign immunity as a defense to such an  
21 action.

22 (f) Statute of limitations. – An aggrieved employee must bring a civil action under this  
23 Article within three years after the date the unlawful employment practice occurred. For a State  
24 employee required to exhaust State Human Resources Commission grievance procedures under  
25 subsection (b) of this section, the three-year period is tolled from the date the employee initiates  
26 those grievance procedures until the date a final decision is issued or the procedures are otherwise  
27 concluded.

28 **"§ 95-285. Rulemaking; policies.**

29 (a) Subject to the provisions of subsection (b) of this section, the Commissioner of Labor  
30 shall adopt rules in accordance with Chapter 150B of the General Statutes to carry out the  
31 purposes of this Article. The rules shall include examples of reasonable accommodations  
32 addressing known limitations related to pregnancy, childbirth, and related medical conditions,  
33 and shall be issued in an accessible format.

34 (b) Notwithstanding the provisions of subsection (a) of this section:

- 35 (1) The Chief Justice of the Supreme Court shall adopt policies to implement the  
36 provisions of this Article for the judicial branch.
- 37 (2) The Legislative Service Officer shall adopt policies to implement the  
38 provisions of this Article for the legislative branch.

39 **"§ 95-286. Relationship to other laws.**

40 Nothing in this Article limits or supersedes any right, remedy, or protection provided under  
41 any other provision of State or federal law that affords equal or greater protection to individuals  
42 affected by pregnancy, childbirth, or related medical conditions. The protections of this Article  
43 are cumulative with and in addition to those provided under Article 49A of Chapter 143 of the  
44 General Statutes and any applicable federal law.

45 **"§ 95-287. Severability.**

46 If any provision of this Article or its application to any person or circumstance is held invalid  
47 or unconstitutional, the remainder of the Article and the application of that provision to other  
48 persons or circumstances are unaffected."

49 **SECTION 2.** Effective July 1, 2026, there is appropriated from the General Fund  
50 the sum of six hundred thousand dollars (\$600,000) for the 2026-2027 fiscal year to be allocated  
51 as follows for implementation of this act:

- 1           (1)    Two hundred thousand dollars (\$200,000) to the Department of Labor.  
2           (2)    Two hundred thousand dollars (\$200,000) to the Administrative Office of the  
3                Courts for the judicial branch,  
4           (3)    Two hundred thousand dollars (\$200,000) to the Legislative Services Office  
5                for the legislative branch.

6           **SECTION 3.** Except as otherwise provided, this act is effective when it becomes  
7 law.