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Secretary of the House of Delegates

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American Pharmacists Association
House of Delegates – March 24-27, 2023

NEW BUSINESS
(To be submitted and introduced by Delegates only)

Introduced by: Veronica Vernon
(Name)

1/23/20 American Pharmacists Association Task Force on Reproductive Health Care Access
(Date) (Organization)

Subject: Employer Responsibilities Regarding Comprehensive Reproductive Health Care Access

Motion:

1. APhA advocates for employers to provide coverage and access to comprehensive reproductive health care services.
2. APhA demands that pharmacists and pharmacy personnel receive accommodations before, during and after pregnancy, including but not limited to sufficient time and space for breaks, opportunities to sit while working, and access to food and water between breaks.

Background:

A remarkable majority of the pharmacy profession is composed of individuals of child-bearing potential; the United States Bureau of Labor Statistics reports that 58% of all pharmacists and 78% of pharmacy technicians in the year 2020 were women. This poses a significant need and opportunity for employers to take responsibility for accommodations to their personnel related to comprehensive reproductive health care services.

The recent U.S. Supreme Court ruling on *Dobbs v Jackson Women's Health Organization* in 2022 led to the overturn of *Roe v Wade*, thus directing abortion regulation to individual states to regulate. In certain states where abortion has been restricted, many patients have found themselves taking extraordinary efforts to receive care across home state lines. However, pursuing reproductive health care in another state poses significant challenges. This challenge impacts pharmacists as patients themselves.

Although APhA has existing policy related to employment standards and employee benefits, the intention behind this proposed policy is to address gaps in employer responsibilities related to reproductive health care services, and the potential challenges to accessible care as a result of state or local laws. These accommodations for personnel may include, but are not limited to travel out of state to access reproductive health care services (i.e. medical or surgical abortions), adequate time off for recovery, support and accommodations for fertility treatment (such as assisted reproductive technology), and more. Additionally, employers need to ensure policies and benefits are provided to employees of all genders, and not focused just on cisgendered women.

Current APhA Policy & Bylaws:

2017, 2012, 1989 **Equal Rights and Opportunities for Pharmacy Personnel**

1. APhA reaffirms its unequivocal support of equal opportunities for employment and advancement, compensation, and organizational leadership positions. APhA opposes discrimination based on sex, gender identity or expression, race, color, religion, national origin, age, disability, genetic information, sexual orientation, or any other category protected by federal or state law.

(Am Pharm. NS 29(7):464; July 1989) (Reviewed 2001) (Reviewed 2007) (JAPhA. NS52(4):459; July/August 2012) (JAPhA. 57(4):441; July/August 2017) (Reviewed 2022)

2015 **Prenatal and Perinatal Care and Maternal Health**

1. APhA supports pharmacists, in collaboration with the health care team, providing adequate and comprehensive prenatal and perinatal care for overall maternal and newborn health and wellness.

(JAPhA. N55(4):365; July/August 2015)

2012, 2007, 1970

Employment Standards Policy Statement

The employment relationship between pharmacists and their employers must start with the principle that pharmacists have a professional, inherent right to practice in a manner that will engender self-respect in pursuit of their professional and economic objectives.

It is the policy of APhA to further the following basic employment standards:

1. Employers are obligated to respect the professional status, privileges, and responsibilities of employed pharmacists.
2. Employers are obligated to provide working conditions that enhance the ability of employed pharmacists to utilize their full professional capacity in providing patient care service to the public.
3. Employers are obligated to provide employed pharmacists opportunities to increase their professional knowledge and experience.
4. Employers are obligated to fairly compensate employed pharmacists commensurate with their duties and performances. Such compensation should include benefits generally available to other professionals including, but not limited to, vacation, sick leave, insurance plans, and retirement programs.
5. Employed pharmacists are obligated to use their best efforts to further the services offered to the public by their employers.
6. Employed pharmacists are obligated to unhesitantly bring to the attention of their employers all matters that will assist the employers in maintaining professional standards and successful practices.
7. Employed pharmacists are obligated, when negotiating compensation, to consider not only prevailing economic conditions in their community, but also their economic position relative to other health care professionals.
8. Employed pharmacists are obligated to recognize that their responsibility includes not depriving the public of their patient care services by striking in support of their economic demands or those of others.
9. Both employers and employed pharmacists are obligated to reach and maintain definite understandings with regards to their respective economic rights and duties by resolving employment issues fairly, promptly, and in good faith.

It is the policy of APhA to support these basic employment standards by:

1. Encouraging and assisting state pharmacists associations and national specialty associations to establish broadly representative bodies to study the subject of professional and economic relations and

to establish locally responsive guidelines to assist employers and employed pharmacists in developing satisfactory employment relationships.

2. Encouraging and assisting state pharmacists associations and national specialty associations to use their good offices, whenever invited, to resolve specific issues that may arise.
3. Assisting state pharmacists associations and national specialty associations to use their good offices, whenever invited, to resolve specific issues that may arise.
4. Assisting state pharmacists associations and national specialty associations to develop procedures for mediation or arbitration of disputes that may arise between employers and employed pharmacists so that pharmacists can call on their profession for such assistance when required.
5. Increasing its activities directed towards educating the profession about the mutual employment responsibilities of employers and employed pharmacists.
6. Developing benefits programs wherever possible to assist employers in providing employed pharmacists with economic security.
7. Continuously reminding pharmacists that the future development and status of pharmacy as a health profession rests in their willingness and ability to maintain control of their profession.

(JAPhA. NS10:363; June 1970) (Reviewed 2001) (JAPhA. NS45(5):580; September-October 2007) (JAPhA. NS52(4):458; July/August 2012) (Reviewed 2017) (Reviewed 2018) (Reviewed 2020)

2001

Employee Benefits

1. APhA encourages employers to offer benefit packages that provide dependent-care benefits, including, but not limited to, flexible spending accounts, voucher systems, referral services, onsite dependent care, and negotiated discounts for use of day care facilities, to improve workforce conditions.

(JAPhA. NS(5);Suppl. 1:S10; September/October 2001) (Reviewed 2007) (Reviewed 2012) (Reviewed 2017) (Reviewed 2019)

References:

1. U.S. Bureau of Labor Statistics. Labor Force Statistics from the Current Population Survey. Available: <https://www.bls.gov/cps/cpsaat11.htm>
2. Goldberg E. The New York Times. These Companies Will Cover Travel Expenses for Employee Abortions. <https://www.nytimes.com/article/abortion-companies-travel-expenses.html> August 2022.
3. Fitzgerald J. National Bureaus of Economic Research. Pharmacy and the Evolution of a Family-Friendly Occupation. <https://www.nber.org/digest/feb13/pharmacy-and-evolution-family-friendly-occupation> February 2013

****Phone numbers will only be used by the New Business Review Committee in case there are questions for the delegate who submitted the New Business Item Content.**

New Business Items are due to the Speaker of the House by **January 23, 2023** (60 days prior to the start of the first House session). Consideration of urgent items can be presented with a suspension of the House Rules at the session where New Business will be acted upon. Please submit New Business Items to the Speaker of the House via email at hod@aphanet.org.