

The coverage afforded under 45 U.S.C. §351(k) (2) is desirable as a matter of social policy and should be mandated by the constitutional standard applicable under the proposed equal rights amendment. Women temporarily unable to work due to childbirth or pregnancy-related physical disability should not be treated as labor force outcasts. Job security, income protection, and health insurance coverage during such physical disability is essential if equal opportunity in the job market is to become a reality for women. Legislation building upon the 45 U.S.C. §351(k) (2) formulation should be developed for application in all employment sectors.⁹⁵ Further, the increasingly common two-earner family pattern should impel development of a comprehensive program of government-supported child care.⁹⁶

- C. Legislation concerning family relationships should be revised to eliminate obsolete provisions and to reflect current trends

Title 43 provisions on homestead rights of married couples are premised on the assumption that a husband is authorized to determine the family's residence. This "husband's prerogative" is obsolete.⁹⁷ Retention of a fault concept in provisions referring to separation (30 U.S.C. §902(e), 38 U.S.C. §101(3)) is questionable in light of the