

AN EXECUTIVE ORDER  
ESTABLISHING A POLICY RELATED TO PREGNANCY

I, Edward M. Augustus, Jr., by virtue of the authority vested in me as the City Manager of the City of Worcester (the “City”), do hereby order and direct the following:

**I. POLICY**

In accordance with the Pregnant Workers Fairness Act (“the Act”), the City of Worcester expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. In addition, the City will not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and, will provide reasonable accommodations to pregnant workers.

Pursuant to the Act:

- Upon request for an accommodation, the City will communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process.” A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the City.
- The City will accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child.
- They City will not require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- The City will not refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- The City will not deny an employment opportunity or take adverse action against an employee because of the employee’s request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.

The foregoing is a synopsis of the requirements of the Act, and both employees and employers are encouraged to read the full text of the law available on the General Court’s website here: <https://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter54>.

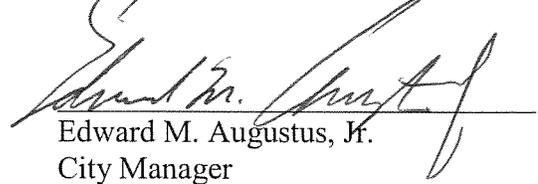
If you believe you have been discriminated against on the basis of pregnancy or a pregnancy-related condition, you may file a formal complaint with the MCAD. You may also have the right to file a complaint with the Equal Employment Opportunity Commission if the conduct violates the Pregnancy Discrimination Act, which amended Title VII of the Civil Rights Act of 1964. Both agencies require the formal complaint to be filed within 300 days of the discriminatory act.

Boston: One Ashburton Place, Room 601, Boston, MA 02108, 617.994.6000  
Springfield: 436 Dwight Street, Room 220, Springfield, MA 01103, 413.739.2145  
Worcester: 484 Main Street, Room 320, Worcester, MA 01608, 508.453.9630  
New Bedford: 128 Union Street, Suite 206 New Bedford, MA 02740,  
774.510.5801  
MCAD website: [www.mass.gov/mcad/](http://www.mass.gov/mcad/)

## **II. EFFECTIVE DATE**

This policy is effective April 1, 2018.

ORDERED AT CITY HALL



Edward M. Augustus, Jr.  
City Manager

Dated: March 30, 2018