



**TOWN OF STOW**  
**PREGNANCY AND PREGNANCY-RELATED**  
**CONDITIONS POLICY**

*Adopted by the Board of Selectmen on October 13, 2020*

The Town of Stow complies with the Pregnant Workers Fairness Act (the Act”) prohibiting discrimination in employment, G.L. c 151B, §4. The Act, effective on April 1, 2018, 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. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

***Under the Act***

Upon request for an accommodation, the Town of Stow 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”, and it will be done in good faith. 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 Town.

The Town of Stow will accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship. “Undue hardship” means that providing the accommodation would cause the Town significant difficulty or expense.

An employee will not be required 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 Town.

A pregnant job applicant or applicant with a pregnancy-related condition will not be denied employment if the applicant is capable of performing the essential functions of the position with a reasonable accommodation.

An employee will not be denied an employment opportunity or experience adverse action because of the employee’s request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.

The Town of Stow may request medical documentation for some accommodations but does not require medical documentation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds, and (iv) private, non-bathroom space for expressing breast milk.

## ***Complaints of Pregnancy and/or Pregnancy-Related Discrimination***

If you believe that you as an employee have been subjected to pregnancy and/or pregnancy-related discrimination, you have the right to file a complaint with the Town. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the Town Administrator, 380 Great Road, Stow, MA 01775, (978) 897-2927 or [townadministrator@stow-ma.gov](mailto:townadministrator@stow-ma.gov). The Town Administrator is also available to discuss any concerns you may have and to provide information to you about our policy and our complaint process.

## ***Investigation***

When the Town receives the complaint, it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. When the investigation is completed, the Town, to the extent appropriate will inform the person filing the complaint the results of the investigation.

If it is determined that inappropriate conduct has occurred, the Town will act promptly to correct the condition.

## ***Disciplinary Action***

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment and may include such other forms of disciplinary action as it deem appropriate under the circumstances.

## ***State and Federal Remedies***

In addition to the above, if you believe you have been subjected to discrimination, you may file a formal complaint with either or both government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident or when the complainant became aware of the incident.

### The United States Equal Employment Opportunity Commission (EEOC) [[www.eeoc.gov](http://www.eeoc.gov)]

Boston Area Office

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

(800) 669-4000

### The Massachusetts Commission Against Discrimination (MCAD) [[www.mass.gov/mcad](http://www.mass.gov/mcad)]

Boston Office

One Ashburton Place, Suite 601

Boston, MA 02108

(617) 994-6000

Worcester Office

484 Main Street, Room 320

Worcester, MA 01608

(508) 453-9630



*Town of Stow*

*380 Great Road*

*Stow, MA 01775*

## **Pregnancy and Pregnancy-Related Conditions Policy Acknowledgement of Receipt**

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Job Title: \_\_\_\_\_

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By signing my name below, I am acknowledging that I have received, read, had the opportunity to ask questions about, and have been advised that I am responsible for complying with the Town of Stow's **Pregnancy and Pregnancy-Related Conditions Policy**.

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_