



HUMAN RESOURCES
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Paula Ceglowski, Director of Human Resources

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**PREGNANCY AND PREGNANCY-RELATED
CONDITIONS POLICY**

(pending School Committee Approval)

I. Introduction

The Westfield Public Schools does not discriminate on the basis of pregnancy and pregnancy-related conditions.

II. Application of the Pregnant Workers Fairness Act ("the Act"),

The Westfield Public Schools will:

1. Upon request for an accommodation, 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 Westfield Public Schools;
2. 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 on the employer. "Undue hardship" means that providing the accommodation would cause the Westfield Public Schools significant difficulty or expense;
3. 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 Westfield Public Schools;
4. 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.
5. 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.

6. Will not require medical documentation about the need for an accommodation 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. The Westfield Public Schools may, however, request medical documentation for other accommodations.

III. *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 Westfield Public Schools. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the Director of Human Resources, 94 North Elm Street, Westfield, MA 413-572-6550. The Director of Human Resources is also available to discuss any concerns you may have and to provide information to you about our policy and our complaint process.

IV. *Investigation*

When the Westfield Public Schools 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 Westfield Public Schools, 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 Westfield Public Schools will act promptly to correct the condition.

V. *Disciplinary Action*

If it is determined that inappropriate conduct has been committed by an employee, the Westfield Public Schools 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.

VI. *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 has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

[The United States Equal Employment Opportunity Commission](#) ("EEOC")

[The Massachusetts Commission Against Discrimination](#) ("MCAD")