

MEMORANDUM

TO: Gregory M. Varner
FROM: Jacy E. Fisher
DATE: June 20, 2021
Re: Proposed Pregnancy Policy Draft for Ashland City Employees

Introduction

Pregnancy accommodation is governed by the Pregnancy Discrimination Act, the Americans with Disabilities Act, the Family and Medical Leave Act, and numerous state and local laws. The following policy is designed to harmonize the requirements of the various federal laws and, to the extent possible, comply with state and local laws. It reflects the philosophy that employers benefit from the retention of competent, trained, and experienced employees and from a discrimination-free environment.

1. The City of Ashland is advised of a pregnancy when the employee produces a medical statement from a doctor, confirming she is pregnant. Employees who do not wish to discuss their options under this policy do not have to report their pregnancies.
2. Medical documentation is needed only to confirm pregnancy and outline medical restrictions, if any.
3. Harassment of any employee for any discriminatory reason, including pregnancy, is prohibited by state and federal laws.
4. Pregnant employees have the option of remaining in their regular position or assignment, as long as their condition does not affect operations. Employees placed in a temporary maternity assignment shall not return to their regular assignment until the pregnancy is concluded. Temporary maternity assignments end at the conclusion of the pregnancy.
 - a. Unless security operations are affected or the pregnant employee requests a temporary change in assignment, supervisors shall not base assignment decisions solely on the staff member being pregnant.
 - b. Once the pregnant employee has been placed in a maternity assignment, she shall

be allowed to work overtime in said assignment, unless medical restrictions prohibit working overtime.

- c. The employee's regular bidded position shall not be affected by a temporary maternity assignment.
 - d. The employee may return to her regular post upon submitting a physician's statement that recommends her return to full duty at her regular post, provided the employee's return is not prohibited by any other policy.
5. Pregnant employees or parents of a newborn may use earned Annual Leave, Sick Leave, Family Medical Leave, and/or Family Friendly Leave, as appropriate.
 6. Pregnant employees shall not be sent home on leave solely on the basis of pregnancy or for requesting a job modification or reasonable accommodations.
 7. Pursuant to the Patient Protection and Affordable Care Act, nursing mothers shall be provided with reasonable break time to express breast milk for one year after her child's birth each time such employee has a need to express breast milk. A nursing mother shall be provided with a private space, other than a bathroom, that is shielded from view and free from intrusion of others, to express breast milk. At a minimum, the room must be temperature-controlled and have a chair, counter space/table, access to electricity, and a door with a lock.