

# HOUSE . . . . No. 1408

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By Mr. Akeroyd of Lanesborough (by request), petition of Florence Birmingham (for the Massachusetts Women's Political Club) for legislation to prohibit employment of married women in the public service. Public Service.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Nine.

AN ACT PROVIDING FOR THE DISCHARGE OF MARRIED WOMEN NOW EMPLOYED AND THE RESIGNATION OF ANY WOMEN UPON MARRIAGE NOW EMPLOYED OR TO BE EMPLOYED IN THE FUTURE IN THE PUBLIC SERVICE.

1 *Whereas*, The deferred operation of this act would  
2 tend to defeat its purpose, therefore it is hereby  
3 declared to be an emergency law necessary for the  
4 immediate preservation of the public convenience and  
5 policy.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The employment of married women  
2 now in the public service of any city, town, or of the  
3 commonwealth of Massachusetts, or any subdivision  
4 thereof, whose husbands are capable of accepting per-  
5 manent employment shall be illegal, and, therefore,  
6 such married women shall be discharged from the  
7 public service within thirty days of the passage of this

8 act. Nothing in this act shall be construed as affecting  
9 those married women whose husbands are perma-  
10 nently disabled by reason of mental or physical illness.

1 SECTION 2. The marriage of any single woman  
2 now employed in public service in any city, town, in  
3 the employ of the commonwealth of Massachusetts,  
4 or any subdivision thereof, shall operate as a resig-  
5 nation of her position and it shall be the duty of the  
6 director or head of department in which such em-  
7 ployee is employed to accept said resignation forth-  
8 with.

1 SECTION 3. Former women employees in public  
2 service may be reinstated if they become widows or  
3 if their husbands become permanently incapacitated  
4 mentally or physically.

1 SECTION 4. Sections one to three, inclusive, shall  
2 take effect in a city if accepted by the city council  
3 or by the voters at the next election, provided that a  
4 petition signed by not less than fifty registered voters  
5 is filed with the city clerk not less than thirty days  
6 before the election. Said sections shall take effect in  
7 a town on their acceptance by the voters at the next  
8 annual or special town meeting, provided that a  
9 petition signed by not less than ten registered voters  
10 is filed with the town clerk or board of selectmen, as  
11 the law requires, and not less than thirty days before  
12 said meeting; and the selectmen shall, upon a like  
13 petition, call a special town meeting for the purpose  
14 of voting upon such acceptance. If, however, any one  
15 or all of these sections fail of acceptance at said town  
16 meeting, then the question shall be presented to the

17 voters of said town at the next election provided that  
18 a petition signed by not less than ten registered voters  
19 is filed with the town clerk or board of selectmen, as  
20 the law requires, and not less than thirty days before  
21 said election.

1 SECTION 5. If any part, clause, subdivision or  
2 section of this act shall be declared unconstitutional  
3 the validity of its remaining provisions shall not be  
4 affected thereby.

