

HOUSE No. 4407

By Mr. Businger of Brookline, petition of John A. Businger for legislation to clarify the law relative to the granting of maternity leave for employees. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT RELATIVE TO EMPLOYMENT SECURITY.

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 105D of chapter 149 of the General Laws, as appearing
2 in the 1986 Official Edition, is hereby amended by inserting at the
3 end of the first paragraph the following sentence: — An employer
4 shall not require a pregnant female employee to accept a position
5 with less status, less pay, a shorter length of service credit or less
6 seniority as long as said employee is qualified to perform the duties
7 of her present position. The term qualified shall mean one who
8 is capable of performing the essential functions of a particular job
9 or who would be capable of performing the essential functions
10 of a particular job with reasonable accommodation to her
11 pregnancy.

