

HOUSE No. 1976

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey and David M. Rogers

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to bereavement leave.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/18/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/25/2021</i>

HOUSE No. 1976

By Messrs. Garballey of Arlington and Rogers of Cambridge, a petition (accompanied by bill, House, No. 1976) of Sean Garballey and David M. Rogers relative to bereavement leave under the family and medical leave act. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to bereavement leave.

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. Section 2 of chapter 175M of the General Laws, as currently appearing, is
2 hereby amended by striking out, in line 9, the word “or”, and inserting at the end of subsection
3 (a)(1): - ; or (iv) to cope with the death of a family member by (A) attending the funeral or
4 alternative to a funeral of the family member; (B) making arrangements necessitated by the death
5 of the family member; or (C) grieving the death of the family member.

6 SECTION 2. Section 2 of chapter 175M is hereby further amended by inserting at the end
7 of subsection (c)(1) the following:- A covered individual is entitled to a total of 8 weeks of
8 family leave under clause (iv) of paragraph (1) of subsection (a) upon the death of each family
9 member of the individual within a benefit year, during 2 of which weeks the covered individual
10 shall be entitled to a weekly benefit, except that leave taken as provided by clause (iv) of
11 paragraph (1) of subsection (a) may not exceed the total period of family leave authorized by this

12 paragraph and shall be counted toward the total period of family leave authorized by this
13 paragraph.

14 SECTION 3. Section 2 of chapter 175M is hereby further amended by inserting at the end
15 of subsection (c)(2)(A) the following:- Leave under clause (iv) of paragraph (1) of subsection (a)
16 may be taken intermittently or on a reduced leave schedule by an employee.

17 SECTION 4. Section 2 of chapter 175M is hereby further amended by inserting in line
18 46, after the words “section 3”, the following:- except a covered individual on family leave under
19 clause (iv) of paragraph (1) of subsection (a), who shall receive such weekly benefit only for 2 of
20 the 8 weeks to which the covered individual is entitled.

21 SECTION 5. Section 5 of chapter 175M is hereby further amended by inserting at the end
22 of subsection (c)(2)(C) the following:- A covered employer may not require an eligible employee
23 to take multiple periods of leave under clause (iv) of paragraph (1) of subsection (a) concurrently
24 if more than one family member of the employee dies during a single benefit year.

25 SECTION 6. Section 5 of chapter 175M of the General Laws, as currently appearing, is
26 hereby amended by inserting after the word “chapter” in line 60 the following:- (8) Certification
27 for a covered individual taking family leave to deal with the death of a family member shall be
28 sufficient if the covered individual provides (i) the name of the deceased, the date of death, the
29 city of death, and the employee’s relationship to the deceased; (ii) a copy of the deceased’s
30 obituary or funeral program and the employee’s relationship to the deceased; (iii) a copy of the
31 death certificate; or (iv) a document issues by the mental health care provider of the employee.