

SENATE No. 1256

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis

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 employee leave of absence to comply with a family court order.

PETITION OF:

NAME:

John C. Velis

DISTRICT/ADDRESS:

Second Hampden and Hampshire

SENATE No. 1256

By Mr. Velis, a petition (accompanied by bill, Senate, No. 1256) of John C. Velis for legislation relative to employee leave of absence to comply with a family court order. Labor and Workforce Development.

The Commonwealth of Massachusetts

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

An Act relative to employee leave of absence to comply with a family court order.

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

1 Chapter 149 of the General laws are hereby amended by adding after section 52E the
2 following:-

3 Section 52 F. (a) Notwithstanding any general or special law or rule or regulation to the
4 contrary, an employee is entitled to take unpaid leave when necessary to comply with an order
5 from or attend a proceeding in the Probate and Family Court pertaining to their rights and duties
6 as a parent or legal guardian.

7 (b) An employee may elect, or an employer may require the employee, to substitute any
8 of the accrued paid vacation leave, personal leave, or medical or sick leave of the employee for
9 any of the leave provided under this section, but nothing in this section shall require an employer
10 to provide paid sick leave or paid medical leave in any situation in which the employer would
11 not normally provide any such paid leave. Leave under this section may be taken intermittently
12 or on a reduced leave schedule.

13 (c) If the necessity for leave under this section is foreseeable, the employee shall provide
14 the employer with not less than seven days' notice before the date the leave is to begin. If the
15 necessity for leave is not foreseeable, the employee shall provide such notice as is practicable.

16 (d) An employer may require that a request for leave under this section be supported by a
17 certification issued at such time and in such manner as the attorney general may by regulation
18 require.

19 (e) The attorney general shall enforce this section, and may obtain injunctive or
20 declaratory relief for this purpose. Violation of this section shall be subject to the second
21 paragraph of section 150 and to section 180.