

SENATE No. 2722

The Commonwealth of Massachusetts

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

SENATE, March 3, 2022.

The committee on Labor and Workforce Development, to whom was referred the petitions (accompanied by bill, Senate, No. 1156) of Michael J. Barrett, Lindsay N. Sabadosa, James B. Eldridge and Danillo A. Sena for legislation to ensure bereavement leave; (accompanied by bill, Senate, No. 1166) of Sonia Chang-Diaz, Elizabeth A. Malia, Michael D. Brady, Patrick M. O'Connor and others for legislation to provide bereavement leave to employees in Massachusetts; and (accompanied by bill, House, No. 1976) of Sean Garballey and David M. Rogers relative to bereavement leave under the family and medical leave act, reports the accompanying bill (Senate, No. 2722).

For the committee,
Patricia D. Jehlen

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**In the One Hundred and Ninety-Second General Court
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An Act to provide bereavement leave to employees in Massachusetts.

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. Chapter 149 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by inserting after Section 52E, the following section:-

3 Section 52F. (a) As used in this section, the following words shall have the following
4 meanings:-

5 “Bereavement”, leave from employment taken to grieve or make arrangements
6 necessitated by the death of a family member.

7 “Family member,” the child, parent, legal guardian, spouse or person in a substantive
8 dating or engagement relationship with an employee and who resides with that employee.

9 (b) An employer shall permit an employee to take bereavement leave following the death
10 of a family member for up to 10 business days in any 12 month period to:

11 (1) Make arrangements necessitated by the death of the family member, including, but
12 not limited to, funeral arrangements, estate preparation, or other legal arrangements;

13 (2) Attend the funeral or equivalent to a funeral of a family member; or

14 (3) Grieve the death of a family member.

15 (c) Leave permitted under this section must be taken within 30 days of the date on which
16 an employee receives notice of the death of a family member.

17 (d) An employer shall have the sole discretion to determine whether any leave taken
18 under this section shall be paid or unpaid.

19 (e) Nothing in this section shall be construed so as to affect any bargaining agreement,
20 company policy, or other federal, state, or municipal law which provides for greater or additional
21 rights to leave than those provided for by this section.

22 (f) An employer may require proof of death in the form of medical record or police
23 report.

24 (g) Notwithstanding subsection (b), an employer employing less than 25 employees in the
25 commonwealth shall not be required to comply with this section.

26 SECTION 2. This act shall take effect on January 1, 2024.