

**HOUSE . . . . . No. 1879**

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**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>1/17/2023</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/19/2023</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>1/27/2023</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>2/7/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>7/24/2023</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>11/22/2023</i>

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By Representatives Garballey of Arlington and Rogers of Cambridge, a petition (accompanied by bill, House, No. 1879) of Sean Garballey, David M. Rogers and others relative to bereavement leave under the family and medical leave act. Labor and Workforce Development.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1976 OF 2021-2022.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

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 issued by the mental health care provider of the employee.