

SENATE No. 1197

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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 improving the Massachusetts paid family medical leave law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>1/23/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/26/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>1/30/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/30/2023</i>
<i>Marc R. Pacheco</i>	<i>Third Bristol and Plymouth</i>	<i>1/30/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>1/30/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/6/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/10/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/13/2023</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>2/21/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/23/2023</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/14/2023</i>
<i>Rita A. Mendes</i>	<i>11th Plymouth</i>	<i>4/11/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>4/13/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>7/12/2023</i>

SENATE No. 1197

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1197) of Jason M. Lewis, Rebecca L. Rausch, Jack Patrick Lewis, Michael D. Brady and other members of the General Court for legislation to improve the Massachusetts paid family medical leave law. Labor and Workforce Development.

The Commonwealth of Massachusetts

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

An Act improving the Massachusetts paid family medical leave law.

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. Subsection (c) of section 3 of chapter 175M of the General Laws, as
2 appearing in the 2020 Official Edition, is hereby amended by striking clauses (i) and (ii) from the
3 second sentence and inserting instead the following three clauses after the colon appearing after
4 the word "wage", at line 32:-

5 (i) a temporary disability policy or program of an employer; (ii) a paid family, or medical
6 leave policy of an employer; or (iii) a sick, vacation, personal time or other paid leave policy or
7 program provided by the employer.

8 SECTION 2. Subsection (a) of section 4 of chapter 175M, as so appearing, is hereby
9 amended by inserting after the second paragraph the following paragraph:-

10 When an employee requests leave under this chapter, or when the employer acquires
11 knowledge that an employee's leave may be for a qualifying reason under this chapter, the

12 employer must notify the employee of the employee's eligibility to take paid leave under this
13 chapter within five business days, absent extenuating circumstances, by giving the employee the
14 appropriate leave certification form as designated by the department, in the primary language of
15 the employee.

16 SECTION 3. Subsection (a) of Section 4 of said chapter 175M, as so appearing, is hereby
17 amended by inserting after the third paragraph the following paragraph:-

18 When a covered contract worker requests leave under this chapter, or when the covered
19 business entity acquires knowledge that a covered contractor worker's leave may be for a
20 qualifying reason under this chapter, the covered business entity must notify the worker of the
21 worker's eligibility to take leave under this chapter within five business days, absent extenuating
22 circumstances, by giving the worker the appropriate leave certification form as designated by the
23 department, in their primary language.

24 SECTION 4. Subsection (e) of section 7 of chapter 175M of the General Laws, as so
25 appearing, is hereby amended by striking clause (vii) from the first sentence in the second
26 paragraph in its entirety and inserting the following clause at the end of clause (vi), on line 92:-

27 (vii) overall claimant demographics by age, gender, race and ethnicity, primary language
28 of applicant, geography, average weekly wage, occupation, employment type (full or part time or
29 self-employed), and the type of leave taken;

30 And by striking the word "and" after the semicolon at the end of clause (xii), at line 100;

31 And by striking clause (xiii) in its entirety and inserting at the end of clause (xii), at line
32 100, the following:-

33 (xiii) the number of cases remaining open at the close of such year; (xiv) the number of
34 businesses and total workforce headcount enrolled, and the number of businesses and total
35 workforce headcount covered by private plans; and (xv) the length of time between a covered
36 individual's first day of leave and their first payment of benefits. Data in (ii) through (vi), (xi),
37 and (xv) shall be disaggregated by age, gender, race and ethnicity, primary language of applicant,
38 geography, average weekly wage, occupation, employment type, and the type of leave taken.
39 Data in (iii) and (vi) shall be further disaggregated by the relationship between the claimant and
40 family member. Data in (vi) shall be further disaggregated by year of birth or placement.