HOUSE DOCKET, NO. 3789 FILED ON: 1/17/2025

HOUSE . . . . . No. 2064

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

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 for the loss of a child.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
James Arciero	*2nd Middlesex*	*1/17/2025*
Kimberly N. Ferguson	*1st Worcester*	*1/17/2025*
Homar Gómez	*2nd Hampshire*	*1/17/2025*
Kristen Dillon	*Junie's Place, Inc. and SUDC (Sudden Unexplained Death in Childhood) Foundation*	*1/17/2025*
Natalie M. Blais	*1st Franklin*	*2/11/2025*
William N. Brownsberger	*Suffolk and Middlesex*	*2/12/2025*
Simon Cataldo	*14th Middlesex*	*4/10/2025*
Leigh Davis	*3rd Berkshire*	*3/25/2025*
David F. DeCoste	*5th Plymouth*	*2/11/2025*
Mindy Domb	*3rd Hampshire*	*3/25/2025*
James B. Eldridge	*Middlesex and Worcester*	*2/28/2025*
Rodney M. Elliott	*16th Middlesex*	*2/13/2025*
Sean Garballey	*23rd Middlesex*	*1/21/2025*
Colleen M. Garry	*36th Middlesex*	*1/25/2025*
Carmine Lawrence Gentile	*13th Middlesex*	*2/15/2025*
James K. Hawkins	*2nd Bristol*	*2/11/2025*

Natalie M. Higgins	*4th Worcester*	*4/12/2025*
Tara T. Hong	*18th Middlesex*	*3/3/2025*
Vanna Howard	*17th Middlesex*	*1/21/2025*
Hannah Kane	*11th Worcester*	*2/12/2025*
Patrick Joseph Kearney	*4th Plymouth*	*5/20/2025*
John J. Marsi	*6th Worcester*	*3/3/2025*
Joseph D. McKenna	*18th Worcester*	*2/12/2025*
Paul McMurtry	*11th Norfolk*	*2/18/2025*
Samantha Montaño	*15th Suffolk*	*3/10/2025*
Mark C. Montigny	*Second Bristol and Plymouth*	*3/4/2025*
Tram T. Nguyen	*18th Essex*	*2/12/2025*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*1/27/2025*
Margaret R. Scarsdale	*1st Middlesex*	*3/4/2025*
Thomas M. Stanley	*9th Middlesex*	*3/12/2025*
Steven Ultrino	*33rd Middlesex*	*2/12/2025*

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HOUSE . . . . . No. 2064

By Representative Arciero of Westford, a petition (accompanied by bill, House, No. 2064) of James Arciero and others relative to bereavement leave for the loss of a child. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to bereavement leave for the loss of a child.

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

SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting after section 52E the following section:-

Section 52F. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Bereavement leave", leave from employment taken to grieve, make arrangements or attend services necessitated by the death of a child.

"Child", a biological, adopted or foster child or stepchild who is less than 18 years of age.

"Employee", an individual hired by an employer for lawful employment, on either a part-time or full-time basis.

"Employer", as defined in section 1 of chapter 151A.

11 (b) An employer shall permit an employee to take up to 10 days of bereavement leave,
12 used consecutively or non-consecutively, within 12 months following the death of an employee's
13 child.

14 (c) Leave taken pursuant to this section shall be paid by the employer at the employee's
15 regular rate of pay, and the employee's regular employment benefits shall continue to accrue
16 during this period. For part-time workers, the employer shall calculate the average hours worked
17 per day by the employee during the preceding 12 months to determine the employee's
18 compensation for their bereavement leave.

19 (d) (1) An employee seeking leave from work under this section shall, if possible, provide
20 appropriate advance notice of the leave to the employer as required by the employer's leave
21 policy; provided, that if an unscheduled absence occurs, an employer shall not take any negative
22 action against the employee if the employee, within 30 days from the unauthorized absence or
23 within 30 days from the last unauthorized absence in the instance of consecutive days of
24 unauthorized absences, provides documentation that the absence was the result of the death of
25 the employee's child.

26 (2) An employer may require documentation from an employee taking bereavement leave
27 under this section. An employee may provide the employer with any of the following documents
28 to satisfy the documentation request: (i) a copy of the death certificate; (ii) a copy of the
29 deceased's obituary or funeral program; (iii) a copy of a police report involving the deceased;
30 (iv) a document issued by the employee's mental health care provider; or (v) any other
31 documentation designated by the employer as acceptable.

32 (e) Nothing in this section shall limit an employer's bereavement leave policy to a
33 maximum of 10 days. Nothing in this section shall be construed as to affect any bargaining
34 agreement, company policy, law or regulation that provides for rights to bereavement leave
35 greater than those provided by this section.

36 (f) Employers shall notify each employee of the rights and responsibilities provided for
37 by this section.

38 (g) The attorney general shall enforce this section and may seek injunctive relief or other
39 equitable relief to enforce this section.

40 SECTION 3. This act shall take effect on January 1 of the year following enactment.