

HOUSE No. 5302

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 26, 2026.

The committee on Labor and Workforce Development, to whom were referred the petition (accompanied by bill, House, No. 2064) of James Arciero and others relative to bereavement leave for the loss of a child; the petition (accompanied by bill, House, No. 2106) of Sean Garballey and David M. Rogers relative to bereavement leave under the family and medical leave act; the petition (accompanied by bill, House, No. 2188) of Marcus S. Vaughn and Chynah Tyler relative to bereavement leave; and the petition (accompanied by bill, House, No. 2189) of Christopher J. Worrell and Paul J. Donato relative to bereavement leave, reports recommending that the accompanying bill (House, No. 5302) ought to pass.

For the committee,

PAUL MCMURTRY.

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

An Act helping employees after a relative’s tragedy.

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 is hereby amended by inserting after
2 section 52E the following section:

3 Section 52F. (a)For the purposes of this section, the following words shall have the
4 following meaning, unless context clearly indicates otherwise:

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

7 “Family member”, the child, parent, guardian, sibling, spouse, grandparent, grandchild,
8 domestic partner, as well as a person with who the employee has a significant personal bond that
9 is or is like a family relationship, regardless of biological or legal relationship.

10 “Employee” any individual who performs services for an employer within the
11 Commonwealth for wages or other remuneration, including full-time, part-time, temporary,
12 seasonal, and per diem employees.

13 “Employer” any person, corporation, partnership, association, trust, business, public
14 agency, municipality, or other entity that employs one or more employees within the
15 Commonwealth, including the Commonwealth and any political subdivision thereof.

16 “Child” a biological, adopted, foster child or stepchild.

17 (b) All employees shall be entitled to up to 10 business days of bereavement leave per
18 calendar year following the death of a family member to:

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

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

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

23 (c) Bereavement leave may be taken consecutively or intermittently in full or partial day
24 increments. Leave shall be taken within 30 days of the death of the family member, except in
25 cases involving the death of a child, in which leave may be taken at any time within 12 months
26 of the death.

27 (d) Leave taken pursuant to this section shall be paid by the employer at the employee’s
28 regular rate of pay, and the employee’s regular employment benefits shall continue to accrue
29 during this period. For part-time workers, the employer shall calculate the average hours worked
30 per day by the employee during the preceding 12 months to determine the employee’s
31 compensation for their bereavement leave.

32 (e) Employees who take bereavement leave under this section shall be entitled to
33 restoration to the position held by the employee when the leave commenced or to an equivalent
34 position with equivalent benefits, pay, and other terms and conditions of employment.

35 (f) An employer may require reasonable documentation of the death of the family
36 member. Documentation may include a death certificate, obituary, funeral program, police report
37 or other written verification of death, or in the case of child loss, documentation from a medical
38 or mental health provider.

39 (g) Nothing in this section shall be construed to diminish an employer's obligation to
40 comply with any contract, collective bargaining agreement, or employment benefit program that
41 provides more generous leave rights. Employers with fewer than 25 employees shall be exempt
42 from the provisions of this section.

43 (h) Employers shall notify employees of their rights under this section in writing and
44 through any employee handbook or leave policy.

45 SECTION 2. This act shall take effect on January 1, 2027.