

HOUSE No. 1682

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer E. Benson

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 discrimination in the workplace.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Jennifer E. Benson

37th Middlesex

Tricia Farley-Bouvier

3rd Berkshire

HOUSE No. 1682

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 1682) of Jennifer E. Benson and Tricia Farley-Bouvier relative to discrimination against family caregivers in the workplace

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- Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to discrimination in the workplace.

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 1 of chapter 151B of the General Laws is hereby amended by
2 adding the following 8 definitions:-

3 24. The term “family caregiver” shall mean an individual who provides medical or
4 supervisory care to a family member with a serious health condition.

5 25. The term “family member” shall mean a person who is related to the family caregiver
6 by: (a) consanguinity; (b) legal custody; (c) marriage; (d) affinity; or (e) a person with whom a
7 family caregiver lives in a familial relationship.

8 26. The term “affinity” shall mean for employment purposes the connection which arises
9 by marriage between each person of the married pair and the kindred of the other, including
10 secondary affinity and collateral affinity.

11 27. The term “serious health condition” shall mean an illness, injury, impairment, or
12 physical or mental condition which requires: inpatient care in hospital, hospice, or residential
13 medical care facility; or continuing supervision by a health care provider.

14 28. The term “Family Responsibilities Discrimination” shall mean employment
15 discrimination against workers based on their family caregiving responsibilities.

16 29. The term “employer” shall mean any person engaged in commerce or in any industry
17 or activity affecting commerce who employs 20 or more employees during each of the 20 or
18 more calendar work weeks in the current or preceding calendar year.

19 30. The term “employee” shall mean an employee who has been employed: (a) for at
20 least 12 months by the employer; and (b) an employee who works at minimum a total of 24
21 hours per week.

22 31. The term “employee” does not include any employee employed by an immediate
23 family member.

24 SECTION 2. Section 3 of chapter 151B of the General Laws, as appearing in the 2010
25 Official Edition, is hereby amended by inserting after the word “sex”, in lines 17 and 61, in each
26 instance, the following words:- , family caregiver status.

27 SECTION 3. Section 4 of said chapter 151B, as so appearing, is hereby amended by
28 inserting after the word “sex”, in lines 3, 69, 82, and 87 in each instance, the following words:- ,
29 family caregiver status.