

HOUSE No. 1888

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth I. Gordon

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 improving the Massachusetts Paid Family Medical Leave Law.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------------|------------------------------------|------------------|
| <i>Kenneth I. Gordon</i> | <i>21st Middlesex</i> | <i>1/11/2023</i> |
| <i>James C. Arena-DeRosa</i> | <i>8th Middlesex</i> | <i>1/24/2023</i> |
| <i>Peter Capano</i> | <i>11th Essex</i> | <i>1/24/2023</i> |
| <i>Mindy Domb</i> | <i>3rd Hampshire</i> | <i>1/24/2023</i> |
| <i>Tram T. Nguyen</i> | <i>18th Essex</i> | <i>1/24/2023</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>1/25/2023</i> |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> | <i>1/25/2023</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>1/25/2023</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>1/25/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/25/2023</i> |
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>1/25/2023</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Norfolk</i> | <i>1/26/2023</i> |
| <i>Adrienne Pusateri Ramos</i> | <i>14th Essex</i> | <i>1/26/2023</i> |
| <i>Jessica Ann Giannino</i> | <i>16th Suffolk</i> | <i>1/27/2023</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>1/27/2023</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>1/29/2023</i> |
| <i>Margaret R. Scarsdale</i> | <i>1st Middlesex</i> | <i>1/30/2023</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | <i>1/31/2023</i> |

| | | |
|-------------------------------------|---|------------------|
| <i>Erika Uyterhoeven</i> | <i>27th Middlesex</i> | <i>2/1/2023</i> |
| <i>Tackey Chan</i> | <i>2nd Norfolk</i> | <i>2/1/2023</i> |
| <i>Jon Santiago</i> | <i>9th Suffolk</i> | <i>2/6/2023</i> |
| <i>Adrian C. Madaro</i> | <i>1st Suffolk</i> | <i>2/6/2023</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>2/6/2023</i> |
| <i>Frank A. Moran</i> | <i>17th Essex</i> | <i>2/7/2023</i> |
| <i>Marc R. Pacheco</i> | <i>Third Bristol and Plymouth</i> | <i>2/7/2023</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>2/8/2023</i> |
| <i>Ruth B. Balsler</i> | <i>12th Middlesex</i> | <i>2/8/2023</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>2/9/2023</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>2/9/2023</i> |
| <i>Christine P. Barber</i> | <i>34th Middlesex</i> | <i>2/9/2023</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>2/9/2023</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>2/11/2023</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>2/13/2023</i> |
| <i>Rob Consalvo</i> | <i>14th Suffolk</i> | <i>2/14/2023</i> |
| <i>James Arciero</i> | <i>2nd Middlesex</i> | <i>2/15/2023</i> |
| <i>David Allen Robertson</i> | <i>19th Middlesex</i> | <i>2/15/2023</i> |
| <i>Jennifer Balinsky Armini</i> | <i>8th Essex</i> | <i>2/21/2023</i> |
| <i>Rodney M. Elliott</i> | <i>16th Middlesex</i> | <i>2/22/2023</i> |
| <i>Christopher Richard Flanagan</i> | <i>1st Barnstable</i> | <i>2/23/2023</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>3/5/2023</i> |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Worcester and Middlesex</i> | <i>3/7/2023</i> |
| <i>Christopher J. Worrell</i> | <i>5th Suffolk</i> | <i>3/8/2023</i> |
| <i>Michael P. Kushmerek</i> | <i>3rd Worcester</i> | <i>3/9/2023</i> |

HOUSE No. 1888

By Representative Gordon of Bedford, a petition (accompanied by bill, House, No. 1888) of Kenneth I. Gordon and others relative to 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 relative to 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 in place thereof the following three clauses after the colon
4 appearing after the word "wage", at line 42:- (i) a temporary disability policy or program of an
5 employer; (ii) a paid family, or medical leave policy of an employer; or (iii) a sick, vacation,
6 personal time or other paid leave policy or program provided by the employer, including but not
7 limited to any leave provided under a collective bargaining agreement.

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 and inserting in place thereof the following clause at the end of clause (vi), on line
27 92:-

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

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

32 And by striking clause (xiii) and inserting in place thereof at the end of clause (xii), at
33 line 100, the following:-

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