

By Mr. Olver, a petition (accompanied by bill, Senate, No. 1213) of John W. Olver, Fred Trusten, Stanley C. Rosenberg, Salvatore R. Albano, Peter C. Webber and other members of the General Court for legislation to improve benefits for state employees by providing for parenting leaves. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT IMPROVING BENEFITS FOR STATE EMPLOYEES.

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

1 Chapter 149 of the General Laws is hereby amended by adding
2 Section 105E as follows:

3 A. A full-time or part-time employee of the Commonwealth of
4 Massachusetts who has completed his or her probationary period,
5 or if there is no probationary period, who has given at least two
6 weeks prior notice to his or her anticipated date of departure and
7 who has given notice of his or her intention to return to the
8 Appointing Authority, may be granted parenting leave for a
9 period not exceeding eighteen weeks.

10 This leave shall be granted because of the birth of a child of
11 an employee or the placement of a child under five years of age
12 with an employee for adoption or foster care.

13 Upon complying with the aforementioned criteria, an employee
14 will be restored to his or her previous or a similar position with
15 the same status, pay, length of service credit and seniority, wher-
16 ever applicable, as of the date of his or her leave. The Appointing
17 Authority shall not be required to restore an employee on
18 parenting leave to his or her previous or similar position if other
19 employees of equal length of service credit and status in the same
20 or similar position have been laid off due to economic conditions
21 or other in operating conditions affecting employment during the
22 period of such leave; provided, however, that such employee on

23 parenting leave shall retain any preferential consideration for
24 another position to which he or she may be entitled as of the date
25 of his or her leave.

26 B. For the first eight weeks of the parenting leave, the employee
27 shall receive full wages paid by the Commonwealth at a level equal
28 to the wages the employee is receiving on the date of his or her
29 leave.

30 The employee may take an additional 10 weeks of parenting
31 leave immediately following the eight weeks of paid leave. This
32 10-week period shall be without pay. However, if an employee
33 has accrued sick leave or vacation credits at the commencement
34 of his or her parenting leave, he or she may use such leave credits
35 during the otherwise unpaid portion of the parenting leave.

36 In lieu of part or all of this 10-week period of unpaid leave,
37 the employee may elect to arrange an abbreviated work schedule
38 with the Appointing Authority. Such an abbreviated work sched-
39 ule shall not exceed three months immediately following the eight
40 weeks of paid leave. Such an abbreviated schedule shall consist
41 of not less than half of the hours required for the position held
42 by the employee on the date of his or her leave. If an employee
43 has accrued sick leave or vacation credits at the commencement
44 of his or her parenting leave, he or she may use such leave credits
45 during the otherwise unpaid portion of the leave, provided that
46 the total weekly salary and reimbursement through leave credits
47 does not exceed the weekly salary of the position to which the
48 employee is being restored.

49 During the paid, unpaid, or abbreviated work portions of the
50 parenting leave, employees shall continue to have their health
51 benefits provided by the Commonwealth.