



City of Cambridge

17.

IN CITY COUNCIL
September 22, 1997

COUNCILLOR TRIANTAFILLOU
COUNCILLOR DAVIS
VICE MAYOR BORN
COUNCILLOR DUEHAY
COUNCILLOR GALLUCCIO
MAYOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to direct the Law Department to prepare for consideration by the City Council an ordinance to provide for city employees the employee benefits offered in the proposed bill S.26, a copy of which is attached.

In City Council September 22, 1997.
Adopted by the affirmative vote of nine members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk

SENATE No. 26

By Mr. Birmingham, a petition (accompanied by bill, Senate, No. 26) of Thomas F. Birmingham for legislation to provide for employee leave for certain family obligations. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING EMPLOYEE LEAVE FOR CERTAIN FAMILY OBLIGATIONS.

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 insert-
2 ing after section 52C the following section:—

3 Section 52D. (a) As used in this section, terms shall have the
4 meaning assigned to them by the federal act, notwithstanding
5 section one of this chapter. In addition, the following terms shall
6 have the following meanings:

7 "Elderly relative," an individual of at least sixty years of age
8 who is related by blood or marriage to the employee, including
9 a parent.

10 "Federal act," sections 101 to 105, inclusive, of the Family and
11 Medical Leave Act of 1993, 29 U.S.C. sections 2611 to 2615,
12 inclusive, as it may be amended.

13 "School," a public or private elementary or secondary school;
14 a Head Start program assisted under the Head Start Act, 42 U.S.C.
15 sections 9831, et seq.; and a children's day care facility licensed
16 under chapter twenty-eight A.

17 (b) An eligible employee shall be entitled to a total of twenty-
18 four hours of leave during any twelve-month period, in addition to
19 leave available under the federal act, to:

20 (1) participate in school activities directly related to the educa-
21 tional advancement of a son or daughter of the employee, such as
22 parent-teacher conferences or interviewing for a new school;

23 (2) accompany the son or daughter of the employee to routine
24 medical or dental appointments, such as check-ups or vaccina-
25 tions; and

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26 (3) accompany an elderly relative of the employee to routine
27 medical or dental appointments or appointments for other profes-
28 sional services related to the elder's care, such as interviewing at
29 nursing or group homes.

30 (c) Unless this section provides otherwise, the terms of
31 the federal act shall apply to leave under this section. As pro-
32 vided in section 102(d)(2)(A) of the federal act, 29 U.S.C. sec-
33 tion 2612(d)(2)(A), an eligible employee may elect, or an
34 employer may require the employee, to substitute any of the
35 accrued paid vacation leave, personal leave, or medical or sick leave
36 of the employee for any of the leave provided under this section, but
37 nothing in this section shall require an employer to provide paid sick
38 leave or paid medical leave in any situation in which the employer
39 would not normally provide any such paid leave. Notwithstanding
40 section 102(b)(1) of the federal act, 29 U.S.C. section 2612(b)(1),
41 leave under this section may be taken intermittently or on a reduced
42 leave schedule.

43 (d) If the necessity for leave under this section is foreseeable,
44 the employee shall provide the employer with not less than seven
45 days' notice before the date the leave is to begin. If the necessity
46 for leave is not foreseeable, the employee shall provide such
47 notice as is practicable.

48 (e) An employer may require that a request for leave under this
49 section be supported by a certification issued at such time and in
50 such manner as the attorney general may by regulation require.

51 (f) The attorney general shall enforce this section, and may
52 obtain injunctive or declaratory relief for this purpose. Violation
53 of this section shall be subject to the second paragraph of section
54 one hundred and fifty and to section one hundred and eighty.

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be h b is
required to

Ordered: That the City Manager direct the Law Department to prepare for consideration by the City Council an ordinance ~~repealing~~ ~~to~~ to ~~the~~ ~~employee~~ ~~benefits~~ ~~of~~ ~~offered~~ ~~by~~ the proposed legislation of ~~§~~ in the proposed bill ~~Senate~~ S 26, a copy of which is attached.



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COUNCILLOR DAVIS

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Born, Dineen, Galbraith, Russell,
Consent Order #17

Sullivan, Toomey
Councillors Triantafyllou and Davis
re: Prepare an ordinance to provide
the employee benefits offered in
the proposed bill S.26.

CM-590

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In City Council September 22, 1997

ORDER ADOPTED