



City of Everett, Massachusetts Policy Statement

Human Resources – Massachusetts Parental Leave Policy

DATE APPROVED: April 1, 2016

DATE EFFECTIVE: April 1, 2016

DATE REVISED:

SOURCE: Human Resources

PREPARED BY: Michael Vetrano – Director, Human Resources

Policy: Y

Procedure: Y

Purpose:

To provide policy guidelines for employees who work in the state of Massachusetts and are eligible for leave under the Massachusetts Parental Leave Act (MPLA). This Act provides for eight weeks of unpaid leave to employees as defined under Massachusetts state law to care for a newborn, newly placed or adopted child.

Person(s) Responsible:

Massachusetts: Employee, Supervisor, Manager, Director/Manager, Region/Area Human Resources or HR Designees

Scope of Employees Covered:

All employees residing in the state of Massachusetts who work 30 hours or more per week and have been employed with the City of Everett for at least 3 consecutive months.

References:

Massachusetts Parental Leave Act (MPLA)

FMLA Policy/30 Day Medical

Pregnancy Accommodation

Policy Statement:

The City of Everett is committed to compliance with the Massachusetts Parental Leave Act (MPLA).

The City of Everett is further committed to compliance with applicable legal requirements concerning notifying covered employees of the rights and responsibilities provided by the law.



POLICY:

The City of Everett will grant unpaid parental leave for a period of eight weeks to an eligible Massachusetts employee for each of the following reasons/events only*:

- giving birth; or
- adopting a child under the age of 18; or
- adopting a child under the age of 23, if the child is mentally or physically disabled; or
- placement of a child with the employee pursuant to a court order.

*If any two City of Everett employees are the parents to the same child, those employees are entitled to only one aggregate period of eight weeks of leave between them.

An employee may voluntarily use any accrued unused vacation, sick, or personal time, if available, concurrently with an unpaid leave to offset the loss of pay.

Multiple Births, Multiple Adoptions or a combination thereof:

Under the MPLA, an employee may take a parental leave for each birth or adoption of a child. An employee is entitled to an additional eight weeks of parental leave for each child born, adopted, or placed by court order. For example, if an employee gives birth in January and adopts a second child in March, the employee would be entitled to two separate eight week parental leave periods under the MPLA for a total of 16 weeks.

Multiple birth schedule:

- twins or two events – 16 weeks
- triplets or three events – 24 weeks
- quads or four events – 32 weeks

Employee's Responsibility:

It is the employee's responsibility to give at least two weeks' notice of his/her intent to take time off under MPLA, including the expected date for his/her return to work. If two weeks' notice is not possible, notice must be provided as soon as practical if the delay is for reasons beyond the employee's control. Notification must be given to the employee's manager and the Director of Human Resources (617-394-2280).

Procedural Guidelines Regarding the Massachusetts Parental Leave:

In the event of a requested leave under the Massachusetts Parental Leave Act, The City of Everett has prepared the following guidelines and considerations to help direct the conversation and ensure that this process has been comprehensive.



An employee must give at least two weeks' notice of intent to take Massachusetts Parental Leave, including the employee's expected return to work date, or provide notice as soon as practical if the delay is for reasons beyond the employee's control.

The City of Everett and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule.

Where leave is taken for a reason specified in either the FMLA or 30 Day Medical Leave polices and MPLA, the leaves will run concurrently beginning with the first day off work for those employees who meet the requirements defined and specified in each of the statutes or leave policies.

If an employee takes leave for a purpose covered by the MPLA, that leave will count towards the employee's Massachusetts Parental Leave entitlement whether or not the employee designates it as such.

If an employee is off work for Massachusetts Parental Leave, the Manager will:

- For Hourly employees, submit a "Change of Status Form" (COS) to Human Resources or;
- For Exempt and Support Non-Exempt employees, contact Human Resources to notify of the employee's need to be placed on Massachusetts Parental Leave.

When Human Resources receives notification from the Manager that an employee is out of work due to Massachusetts Parental Leave, follow the normal correspondence process with the employee and record the employee's absence in the time off tracker log as such:

1.
 - Effective date: 1st day employee is off work
 - Status: Leave of Absence
 - Reason: Leave – Massachusetts only-MPLA
 - Send the Confirmation of Parental Leave Letter to the employee summarizing the employee leave details.

Return to Work:

When the employee returns to work from leave as required, the employee will be placed in the same position or an equivalent position with the same status, rate of pay, length of service credit and seniority as of the date of the leave.

If an employee's job was changed temporarily because of her pregnancy prior to leave (e.g., her hours were reduced or her duties were changed as an accommodation), she would be restored to the same or similar position held prior to such temporary change.



Follow the normal company process to return an employee to work and update the employee Status in the time off tracker as such:

- Effective date: Date employee returns to work
- Status: Active
- Reason: Standard Active Reason

The employee is also entitled to maintain the same seniority level as the employee had on the date the employee's leave began, and any other advantages or rights of employment the employee would have received if not for the leave. However, the employee will not accrue any vacation hours while off work under MPLA.

Job Reinstatement Exceptions:

1. If other employees of equal length of service credit and status in the same or similar position and location have been laid off due to economic conditions or other changes in operating conditions affecting employment during the parental leave, it is not required that the employee be restored to the employee's previous or similar position; however, the employee on parental leave shall retain any preferential consideration for another position to which the employee may be entitled as of the date of the leave.
2. If the employee is unable to return to work upon expiration of the allotted time under MPLA and the employee does not qualify for additional leave under the provisions of FMLA or Reasonable Accommodation, contact the Director of Human Resources to discuss the employee's status.

Benefit Co-Pay:

If the employee is enrolled in any insurance plans through the City of Everett, the employee will be responsible for all payroll benefit deductions that may be missed due to a Massachusetts Parental Leave. Failure by the employee to pay any benefit deductions may result in cancellation of coverage. Please contact the Human Resources department at (617) 394-2280 should you have any questions regarding benefits during leave.

Additional Questions or Information:

In the event of questions regarding any portion of this Policy, please contact the Director of Human Resources at (617) 394-2280.