

OFFERED BY COUNCILORS LYDIA EDWARDS AND MICHELLE WU, Essaibi-George, O'Malley, Bok, Breadon, Flynn, Mejia, Campbell, Flaherty, Arroyo and Baker

**CITY OF BOSTON  
IN CITY COUNCIL**



AN AMENDMENT TO THE CITY OF BOSTON CODE, SECTION  
5-5.20, PAID PARENTAL LEAVE FOR CITY OF BOSTON  
EMPLOYEES

*WHEREAS:* Paid Parental Leave is an essential workplace benefit that provides employees paid time off commensurate with one's salary in the event of a newborn or newly adopted child; and

*WHEREAS:* Paid Parental Leave provides numerous health benefits both for children and parents, economic security for families, and workplace advantages for employers in retaining productive and engaged employees; and

*WHEREAS:* It is essential that the same protections given to parents of newborn or adopted children are also provided for those who lose a pregnancy; and

*WHEREAS:* The City of Boston's Paid Parental Leave signed into law in 2015 was recently updated to include increased leave time and protections;

*WHEREAS:* The City of Boston policy currently includes stillbirth as an event triggering Paid Parental Leave; and

*WHEREAS:* Parents or would be parents may experience a loss of pregnancy that is not a still birth including a miscarriage or termination.

*WHEREAS:* Without stated protections within Paid Parental Leave to include loss of a pregnancy that is not a stillbirth, many working parents may be forced to use sick leave or other earned time if it is available to them; and

*NOW THEREFORE BE IT ORDAINED:* The City of Boston Code, Ordinances, Chapter 5, Section 5.20, **Paid Parental Leave for City of Boston Employees**, shall be amended to include loss of pregnancy as a protected event triggering parental leave with the following amendments:

**SECTION 1.**

The City of Boston Code, Ordinances, Chapter 5, Section 5.20, shall be struck in its entirety and replaced by the following:

#### 5-5.20 Paid Parental Leave for City of Boston Employees.

a. The City of Boston shall implement paid parental leave for all of its exempt female and male employees and all other employees covered by collective bargaining agreements whose agreements explicitly provide for this benefit for the employee, for the purpose of caring for his or her newborn or newly adopted child or children. This leave shall apply equally to parents regardless of gender, as well as to same-sex couples, in the event of a natural birth by any method, adoption, surrogacy, and loss of pregnancy. Employees who have worked for the City of Boston for a minimum of one (1) year are eligible for the full duration of paid parental leave.

b. The paid parental leave shall be up to twelve (12) weeks long, and may be taken by day or week anytime during the first year after the birth or adoption of the child or children. The leave period is fixed regardless of the number of children born or adopted by the employee. During the leave period, the employee shall be paid one hundred (100%) percent of her or his base wages for the first four (4) weeks, seventy-five (75%) percent of his or her base wages for the following four (4) weeks, and fifty (50%) percent of base wages for the remaining four (4) weeks. Employees shall be eligible to use any accrued leave in order to receive compensation up to one hundred (100%) percent of base pay during the weeks reimbursed at the rates of seventy-five (75%) percent and fifty (50%) percent. This paid leave will occur concurrently with and count towards the following leaves for which the employee may be eligible: the federally mandated twelve (12) weeks of Family and Medical Leave Act (FMLA) leave, eight (8) weeks of Massachusetts Parental Leave Act (MPLA) leave, and up to twelve (12) months of unpaid leave due to childbirth, adoption, or loss of pregnancy offered by the City.

c. The number of paid parental leave periods employees may take is unlimited over the duration of their employment with the City of Boston, but employees are only eligible for one (1) twelve (12)-week paid leave per birth, adoption, or loss of pregnancy.

d. If both parents work for the City of Boston, each is entitled to a twelve (12)-week leave period as described in Section b. above and they may take their parental leave periods concurrently, subsequently, or in any other combination they wish.

e. The Director of Human Resources for the City of Boston shall have full authority to issue policies relative to paid parental leave benefits offered pursuant to this ordinance for any purpose, including, but not limited to, notification requirements for employees requesting leave, employee eligibility, and documentation requirements for births, adoptions, or loss of pregnancy.

#### **SECTION 2. Effective Date**

Effective immediately upon passage.

Filed On: **March 31, 2021**