



## CITY OF BOSTON IN CITY COUNCIL

### AN ORDINANCE ESTABLISHING PAID PARENTAL LEAVE FOR CITY OF BOSTON EMPLOYEES

*WHEREAS:* There are approximately 178 countries worldwide that offer some form of paid maternity leave, with more than 50 countries offering paternity leave as well, and with the United States being one of only three countries that lacks a law requiring employers to fund parental pay, with the others being Oman and Papua New Guinea; AND

*WHEREAS:* The new Massachusetts Parental Leave Act (MPLA) will take effect April 7, 2015, expanding the Massachusetts Maternity Leave Act (MMLA) enacted in 1972, to offer eight weeks of unpaid but job-protected leave per child born or adopted to parents of both genders; AND

*WHEREAS:* The Family and Medical Leave Act of 1993 (FMLA) is a federal law that guarantees twelve weeks of unpaid leave; AND

*WHEREAS:* The lack of income during periods of parental leave puts an undue burden on families and causes employees to return to work earlier than they might otherwise choose to; AND

*WHEREAS:* Paid leave and workplace flexibility increase productivity, help to recruit more talented workers, lower worker turnover and replacement costs, reduce absenteeism, and improve job satisfaction; AND

*WHEREAS:* The City Council and Mayor Martin J. Walsh share a commitment to improving workplace opportunities for working families in Boston, and the Boston Paid Parental Leave Ordinance is the result of active collaboration with the Walsh Administration over several months; *NOW THEREFORE*

***Be it ordained by the City Council of Boston, as follows:***

City of Boston Code, Ordinances, Chapter 5-5.20 is hereby amended by striking the section in its entirety and inserting in place thereof the following language:

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

1. 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 stillbirths. Employees who have worked for the City of Boston for a minimum of one year are eligible for the full duration of paid parental leave.

2. The paid parental leave shall be up to six 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 100 percent of her or his base wages for the first two weeks, 75 percent of his or her base wages for the following two weeks, and 50 percent of base wages for the remaining two weeks. Employees shall be eligible to use any accrued leave in order to receive compensation up to 100 percent of base pay during the weeks reimbursed at the rates of 75 percent and 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 weeks of Family and Medical Leave Act (FMLA) leave, eight weeks of Massachusetts Parental Leave Act (MPLA) leave, and up to twelve months of unpaid leave due to childbirth or adoption offered by the City.
3. 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 6-week paid leave per birth or adoption.
4. If both parents work for the City of Boston, each is entitled to a 6-week leave period as described in Section 2, and they may take their parental leave periods concurrently, subsequently, or in any other combination they wish.
5. 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 and adoptions.

The provisions of this ordinance shall take effect immediately upon passage.

Filed on: March 25, 2015