



## **New Massachusetts Law Grants Parental Leave to Men**

On January 7, 2015, Governor Deval Patrick signed a law that will require employers to afford parental leave to men. The new statute, [An Act Relative to Parental Leave](#), will replace the current Massachusetts Maternity Leave Act (the "MMLA") and, for the first time in Massachusetts history, grants men the right to take eight weeks of parental leave for the birth or adoption of a child. The law takes effect on April 7, 2015.

### **Parental Leave Now Gender Neutral**

Under the new Parental Leave Act, an employer must provide leave to men on the same terms and conditions as leave for women, making parental leave in Massachusetts gender neutral.

### **Covered Employers Requirements**

Employers with 6 or more employees:

- Must provide up to 8 weeks of unpaid leave to eligible employees for the following reasons:
  - Purpose of giving birth;
  - Placement of a child under the age of 18 (i.e. fostering a child);
  - Placement of a child under the age of 23, if the child is mentally or physically disabled;
  - Adoption - or intention to adopt - a child.
- Must grant parental leave to full-time employees who have passed the initial probationary period set by the employer (which is not to exceed three months)
- Must restore employees to their previous, or a similar, position with the same status, pay, length of service credit and seniority as of the date of the leave
- Cannot require employees to exhaust PTO during their parental leave

### **Next Steps for Employers**

- Since the new law goes into effect on April 7, 2015, employers should begin to review their current maternity leave policy and revise it to reflect the new Parental Leave Act.
- Employers must notify employees of their rights to parental leave.
- The amended law does not change any obligation for employers that are also subject to the Family and Medical Leave Act (FMLA).
- If you are one of our full-service clients, we will work with you to review your current maternity leave policies to ensure they comply with these new regulations.

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