



BOSTON CITY COUNCIL

Committee on Government Operations
Lydia Edwards, Chair

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

September 15, 2021

Dear Councilors:

Docket #0481, ordinance amending the City of Boston Code, Ordinances, Section 5-5.20, paid Parental Leave for City of Boston Employees, was sponsored by Councilors Lydia Edwards, Michelle Wu, and Annissa Essaibi George, and referred to the Committee on March 31, 2021. The Committee held a hearing on July 13, 2021 where public comment was taken.

Summary of Legislation:

Docket #0481 amends the current ordinance by applying the paid parental leave benefit to parents that have experienced a loss of pregnancy. Passage of this ordinance would provide a paid parental leave benefit to city employees (parents) in the event of a natural birth by any method, adoption, surrogacy, and loss of pregnancy. Docket #0481 would also extend the paid parental leave to 12 weeks from six weeks.

Information Gathered at the Hearing:

Tammy Pust, Senior Advisor for Human Resources Transformation and Joanne Wisniewski, Human Resources Transformation Director testified on behalf of the Administration. The Committee supported the expansion of the benefits. The Committee supported the proposal in order to provide parental support and to provide support for a pregnancy loss. The Committee reviewed the language changes in the proposal from the current ordinance. The Committee explained that the term “loss of pregnancy” encompasses stillbirth as well as other reasons and the extension to 12 weeks is consistent with the City’s policy. The Chair explained that the regulations will be under the jurisdiction of the City’s Human Services Department. The Committee reviewed the City’s paid parental leave policy.

Tammy Pust reviewed the City’s paid parental leave policy. Ms. Pust supported the extension to 12 weeks because it is important for bonding. Ms. Pust explained the required medical documentation and stated that certain types of leave require documentation. Ms. Pust reviewed the definition of “event” under the City’s policy.

The Committee inquired about the definitions in the City’s policy. The Committee asked about the term “stillbirth” and the exclusion of the adoption of a new spouse’s children. The Committee asked about the necessity of medical documentation. Councilors expressed support for fine-tuning the definitions and using inclusive language in the City’s regulations and policy. Ms. Pust explained that the objective is to have a broad definition of parent. Ms. Pust stated that

the City will continue to work on its policy to make the definitions workable and inclusive and will look at the documentation requirements.

The Chair summarized the issues to address in the City's policy which include the following: the removal of gender language and using the terms parent or employee instead; not making marriage a requirement; looking at the exception to adoption which excludes the adoption of a new spouse's children; and, including "loss of pregnancy" throughout the policy as a triggering event. The Chair explained that the paid parental leave policy will be defined by the ordinance and the regulations. The Committee will work on defining terms in collaboration with the Human Resources Department.

Rationale and Recommended Action:

Docket #0481 will expand upon the benefits in the current ordinance by extending the leave to 12 weeks. The docket also amends the language in the current ordinance by deleting the term stillbirth and making loss of pregnancy a triggering event which will encompass stillbirths and other reasons. Passage of this docket will strengthen the current paid parental leave policy by providing further protections and will establish a policy that is strong and equitable. This policy will help parents stay in the workforce, will extend bonding time, and will provide time and paid leave due to loss of pregnancy.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket #0481, ordinance amending the City of Boston Code, Ordinances, Section 5-5.20, paid Parental Leave for City of Boston Employees,

submits a report recommending that this docket **ought to pass**.

For the Chair:

A handwritten signature in black ink that reads "Lydia Edwards". The signature is written in a cursive, flowing style.

Lydia Edwards, Chair
Committee on Government Operations