



TOWN OF GROTON

Massachusetts Maternity Leave Act

I. Purpose and Scope

The purpose of this policy is to establish the eligibility, duration and procedural requirements relating to the administration of Massachusetts Maternity Leave Act.

II. Policy

Under the Massachusetts Maternity Leave Act ("MMLA"), unpaid maternity leave is available to eligible employees for the purpose of giving birth or to adopt a child. The Town recognizes both maternity and paternity leaves for female and male employees, respectively. The MMLA requires employers to restore an employee who takes no more than eight (8) weeks of MMLA to his/her previous or similar position with the same status, pay, length of service credit, and seniority.

III. Eligibility

The employee is eligible for maternity leave under the MMLA if:

- 1) He/she has completed the initial probationary period; if any, set by the terms of his/her employment; or, if there is no such probationary period, has been employed by the Town for at least three consecutive months as a full-time* employee; and
- 2) Must be in full-time* status with the Town of Groton.
- 3) He/she is absent from such employment for a period not exceeding eight weeks for the purpose of:
 - a) Giving birth;
 - b) Adopting a child under the age of 18; or
 - c) Adopting a child under the age of 23, if the child is mentally or physically disabled; and
 - d) He/She gives the Town at least two (2) weeks notice of her anticipated date of departure and intention to return.

IV. Type of Leave Covered

To qualify the employee must be taking leave for both of the reasons listed below:

- 1) *The birth of a child and in order to care for that child.*
- 2) *The placement of a child for adoption or foster care under the age of 18; or*
- 3) *Adopting a child under the age of 23; if the child is physically or mentally disabled.*

V. Amount of Leave time

Under MMLA, employees are entitled to a minimum of eight (8) weeks of unpaid maternity or paternity leave specifically for the purpose of giving birth or adopting a child. Employees having or adopting twins are entitled to sixteen (16) weeks.

MMLA will run concurrently with the FMLA. Employees that are eligible for both will be given a total 12 weeks leave time.

Under MMLA there is no maximum number of leaves allowed in any given period of time. For example, an employee may give birth to a baby in April and takes eight weeks for the newborn. In September the same employee adopts a baby, she is eligible to take an additional eight weeks of leave time under MMLA.

VI. Pay while out on MMLA

The employee has the choice to get paid from their accrued time or go unpaid. If the employee chooses to get paid out of their accrued time, then they will need to exhaust all their sick time before getting paid from vacation and personal accruals.

VII. Employee Status and Benefits During Leave

While an employee is on leave, the Town will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee is in unpaid status, then he/she will need to pay the Town directly for the employee's share of the monthly premium. Personnel will generate a letter detailing the benefits and the amount that the employee must pay. If the employee does not submit the payment within 30 days of the receipt of the letter, then the Town may terminate the employee's benefits.

VIII. Job Restoration

Upon the expiration of an employee's leave under MMLA, he/she has the right to be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment.

* for a definition of full-time status please refer to your union contract or Personnel By-Law