

SMALL NECESSITIES LEAVE

Purpose:

On August 5, 1998, "an Act Providing Employee Leave for Certain Family Obligations", also known as the Small Necessities Leave Act, went into effect in Massachusetts. The act adds Section 52D to Chapter 149 of the Massachusetts General Laws and provides eligible employees with a total of 24 hours of leave during any 12 month period for three specific purposes:

Covered Reasons:

- a) to participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school; or
- b) to accompany a son or daughter of the employee to routine medical or dental appointment; or
- c) to accompany an elderly relative (an individual at least 60 years of age and related by blood or marriage to the employee) to routine medical or dental appointments or appointments for other professional services relating to the elder's care, such as interviewing at a nursing home.

Enforcement:

The Massachusetts Attorney General is empowered to enforce the Act's provisions. Aggrieved employees may also sue for injunctive relief and damages.

Conditions:

Consistent with FMLA, leave under SNLA is unpaid. It is the Town of Wilbraham's policy to require an employee use any accrued vacation, personal leave or dependent sick leave, during a SNLA Leave, provided that the town will only require an employee's use of dependent sick leave in situations where the sick leave policy applies.

Covered Employers and Eligible Employees:

The Small Necessities Leave Act borrows definitions contained in the federal Family and Medical Leave Act of 1993. It follows the prerequisites for FMLA leave (i.e. the employee must have worked at least 1,250 hours during the past 12 months).

Duration of Leave:

A covered employer must grant an eligible employee up to a total of 24 hours of unpaid leave during any 12-month period. The Town of Wilbraham has established the calendar year as the 12-month period during which 24 hours leave must be granted.

SNLA may be taken intermittently. This means taking leave in blocks of time rather than a continuous leave.

An employee must provide notice of the need for SNLA at least 7 days prior to the day such leave begins. If the need for the leave was not reasonably foreseeable, then the employee must provide such notice as is practicable.

ADOPTED:	Personnel Board ,4/5/2000
LABOR COUNSEL:	12/15/2000
APPROVED:	Board of Selectmen, 1/29/2001
AMENDED:	
ATTACHMENT:	
FORM:	Request for SNLA, Employer Response Form

The terms of collective bargaining agreements supersede any provisions of any personnel policies the town establishes. If a collective bargaining agreement is silent on a topic or a subject matter within a topic these policies are intended to apply. Where the provision of a collective bargaining agreement between the town and a union conflict with a provision of a town personnel policy, the collective bargaining agreement provision will govern for those employees covered by the agreement.