



leave and disability regulatory compliance
Summary of leave legislation

Private employer sector
September 2017

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California

SB 63 – New Parent Leave Act: Expanded definition of employer

Introduced December 22, 2016

Passed September 13, 2017

Awaiting signature

Existing law applies only to employers that have 50 or more employees within a 75-mile radius of a worksite. If signed by the governor, this bill will revise the definition of “employer” so that the New Parent Leave Act will apply to employers that have 20 or more employees within a 75-mile radius of a worksite. This [proposed law](#) would require those employers to allow employees with more than 12 months and at least 1,250 hours of service during the previous 12-month period to take up to 12 weeks of parental leave to bond with a new child within one year of the child’s birth, adoption or foster care placement. The bill would also prohibit an employer from refusing to maintain and pay for coverage under a group health plan for an employee who takes this leave.

This new law will not apply when an employee is subject to the California Family Rights Act as well as the federal Family and Medical Leave Act.

If signed, the proposed law will take effect January 1, 2020.

Berkeley, California

Paid Sick Leave Ordinance

Effective October 1, 2017

Informational only – Sedgwick does not administer

The City of Berkeley's new Paid Sick Leave Ordinance became effective October 1, 2017 along with a city-wide minimum wage increase to \$12.53 per hour. The new ordinance requires employers to provide paid sick leave at a rate of 1 hour for every 30 hours worked. Employers with fewer than 25 employees may cap accruals and usage of paid leave at a maximum of 48 hours. Employers with 25 or more employees may cap accruals at 72 hours, but may not limit the use of those hours. Employees who work at least 2 hours within the city are eligible to receive these new benefits. Paid sick leave may be taken after 90 calendar days of employment. Employers are required to post a notice published by the city each year informing employees of their paid sick leave rights under the ordinance. The notice should be posted in a conspicuous place at any workplace or job site in the city where employees work.

The new Paid Sick Leave Ordinance and frequently asked questions regarding the ordinance are available on the [City of Berkeley's website](#).

California

AB 1556 – Employment Discrimination

Passed September 5, 2017

Awaiting signature

The existing California Family Rights Act makes it unlawful for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a child who was born to, adopted by, or placed for foster care with the employee, to care for the employee's parent, spouse or child who has a serious health condition, as defined, or because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job.

If signed, this [proposed law](#) will revise the California Family Rights Act by deleting gender-specific personal pronouns and by making other conforming changes.

Rhode Island

HB 5413 – Healthy and Safe Families and Workplaces Act

Introduced, February 8, 2017

Signed by the Governor September 28, 2017

Effective July 1, 2018

Informational only – Sedgwick does not administer

This [new law](#), referred to as the Healthy and Safe Families and Workplace Act, requires employers with 18 or more employees to grant paid sick time to employees with some exceptions. Accruals will be at a rate of 1 hour of sick time for every 35 hours worked, up to a maximum accrual of 24 hours in 2018, 32 hours in 2019, and 40 hours thereafter. These accruals will begin at the commencement of employment for new employees, or on the law's effective date for existing employees. Employers may choose to require a 90-day waiting period before new employees may use their accrued paid sick time and may also choose to front load sick time to employees rather than follow the accrual schedule. Paid sick and safe leave could be carried over to the following calendar year up to the maximum accrual rates or the employer could pay an employee for unused earned paid sick and safe leave. Employers offering paid time off sufficient to meet the accrual requirements under the new law would not need to provide additional paid sick and safe leave time. Employers would not be required to pay out or reimburse employees for unused sick leave at the time of termination, resignation, retirement or other separation.

Paid sick and safe leave would be provided to address an employee's mental or physical illness, injury or health condition, or for the employee's necessary preventive medical care. Employees also may take leave to care for a family member's illness, injury or health condition or necessary preventive medical care. Paid sick leave also could be taken if the employee's place of business is closed due to a public health emergency or to care for a child whose school or place of care is similarly closed. Victims of domestic violence, sexual assault or stalking would also be entitled to use this leave.

Employers are required to have a written policy containing reasonable procedures whereby employees could provide notice of their need for leave. Employers also are required to give employees written notice of specific requirements of the act as well any company-specific policies relating to paid sick leave. Employers are required to display a poster in a conspicuous and accessible place in each establishment where employees are employed.

The Information contained within this document is intended to provide summary level information on proposed or enacted laws related to family and medical leave. It is not intended to provide guidance on the application of these legal requirements or as an update to your Company's attendance and/or leave policies. We recommend you consult with Legal Counsel to determine what changes, if any, should be applied to Company Policy.



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