



Summary of Leave Law Changes

Private Employer Sector

For the period covering: April 2013



sedgwick

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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.

Federal

Family and Medical Leave Inclusion Act– Proposed

HR 1751. Proposed: April 25, 2013; Representative Maloney.

H.R. 1751 would amend the Family and Medical Leave Act of 1993 to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition.

The proposed Family and Medical Leave Inclusion Act can be reviewed by visiting [here](#).

Colorado

Family Care Act – Passed

HB 1222. Sent to Governor April 25, 2013. Update: Signed by Governor May 5, 2013; Sponsor: Peniston.

In addition to the leave to which an employee is entitled under FMLA, an employee in the state of Colorado is entitled to take leave to care for a person who has a serious health condition if the person is:

1. The employee's partner in a civil union, or
2. is the employee's domestic partner and
3. has registered the domestic partnership with the municipality in which the person resides or with the state, or
4. is recognized by the employer as the employee's domestic partner.

For purposes of confirming an employee's relationship to a person described in 1-4 above, an employer may require the employee to provide reasonable documentation or a statement of a family relationship.

The Act can be reviewed by visiting [here](#).

Illinois

Family Care Provider Act- Proposed

SB 1190. Introduced: January 31, 2013. Modified: April 25, 2013; Representative Hutchinson.

SB 1190 would create the Illinois Family Care Provider Act. If passed, this law would require an employer provide up to 12 weeks of unpaid family medical leave to an employee during any 12-month period for one or more of these purposes:

1. The birth or adoption of a grandchild in order for the employee to care for such grandchild;
2. because of the placement of a grandchild with the employee for adoption or foster care; or
3. in order for the employee to care for a grandchild if such grandchild has a serious health condition or the employee to care for a grandparent if such grandparent has a serious health condition.

The bill can be reviewed by visiting [here](#).

Nebraska

Emergency Services Leave – Amendment Passed

SB 2062. Effective August 1, 2013.

SB 2062 amends the law protecting emergency responders and is effective August 1, 2013. The law prohibits an employer from terminating or demoting an employee, or in any way discriminating against the employee in terms and conditions of employment, because the employee is absent or tardy from employment due to serving as a volunteer emergency responder in response to a disaster or emergency.

This law currently would not apply if the employee in serving as a volunteer emergency responder is absent or tardy from employment for a period that exceeds 20 regular working days in a calendar year.

The bill can be reviewed by visiting [here](#).

Oregon

Family Leave – Proposed Amendment

HB 2950. Introduced: February 19, 2013. Modified: April 11, 2013; Representative: Keny-Guyer.

HB 2950 would allow employees to take family leave when there is death of a family member. The time would be limited to up to two weeks and would count towards the overall time provided by family leave.

The bill can be viewed by visiting [here](#).

City of Portland Paid Leave – Passed

Sick Leave Ordinance. Effective January 1, 2014.

Effective January 1, 2014, the City of Portland will require employers with six or more employees to provide five days (40 hours) of paid sick leave per year to employees to care for their own illness or for a sick family member. Smaller employers will be required to grant up to 40 hours of unpaid sick leave.

Employers will be required to post notice of employees' leave rights and maintain records of leave time accrued and used by employees. Employers will also be prohibited from discriminating or retaliating against employees who request or use sick leave, or complain of being denied requested leave.

The law can be viewed by visiting [here](#).

Washington

Paid Family Leave - Proposed

SB 5903. Introduced: April 10, 2013; Sponsor: Braun.

SB 5903 would delay the implementation of the family and medical leave insurance and repeals the act if funding is not decided by December 31, 2015.

In 2007, the Legislature enacted a framework for a family leave insurance program; however, implementation of the program was delayed, through legislation, in 2009 - delayed to October 1, 2012, and 2011 – delayed to October 1, 2015.

The framework provides that, beginning on October 1, 2015, benefits of up to \$250 per week for up to five weeks are payable to individuals who are unable to perform their regular or customary work because they are on family leave. Beginning on September 1, 2016, and annually thereafter, reports on program participation, premium rates, fund balances, and outreach efforts must be submitted to the Legislature.

The bill can be reviewed by visiting [here](#).