



## Summary of Leave Law Changes

Private Employer Sector

For the period covering: December 2012



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 Medical Leave – Regulatory Update

*DOL Targets March 2013 to Finalize FMLA Changes*

On February 15, 2012, the Department of Labor (DOL) published a notice of FMLA proposed rulemaking in the Federal Register. The public comment period ended April 30, 2012. The proposed rule was drafted to implement new statutory amendments to FMLA that would expand military family leave provisions and incorporate a special eligibility provision for airline flight crew employees.

The DOL announced they are targeting March 2013 to finalize these changes which will incorporate amendments made to FMLA by the fiscal 2010 National Defense Authorization Act and the Airline Flight Crew Technical Corrections Act.

The proposed changes can be viewed by visiting:

[http://www.dol.gov/whd/fmla/NPRM/FMLA\\_NPRM\\_2012.pdf](http://www.dol.gov/whd/fmla/NPRM/FMLA_NPRM_2012.pdf)

## California

### Pregnancy Disability Leave – Regulatory Update

*California Pregnancy Disability (PDL) Amendments. Effective: December 30, 2012.*

The California Fair Employment and Housing Commission (FEHA) adopted amendments to the current pregnancy disability leave (PDL) regulations which took effect December 30, 2012. The amendments were created in an effort to provide clarity for employees and employers seeking to understand their rights and responsibilities under the provisions that cover pregnancy, childbirth, and related medical conditions.

Many of the amendments were drafted to include provisions more in line with the federal Family and Medical Leave Act (FMLA) amendments and recent court decisions. FEHA anticipates that, by providing greater clarity and examples within the regulations, litigation will decrease.

On December 28, 2012, Sedgwick released an e-bulletin addressing the changes applicable to our leave management services. Please contact your Sedgwick client services representative if you would like a copy of the e-bulletin.

The regulatory changes can be reviewed by visiting:  
<http://www.fehc.ca.gov/act/pregnancyregulations.asp>

## Massachusetts

### Paid Family Leave – Proposed

*HB 49. Proposed: January 1, 2011. Modified: December 6, 2012. Sponsor: Cabral.*

House Bill 49 would establish a paid family leave program to cover a leave of absence due to the serious health condition of a family member. Contributions would be paid by employees to the commonwealth. If passed, a covered employee who qualifies would be eligible for up to twelve weeks worth of benefits in any twelve month period. The benefit would be paid weekly and reductions would be made for any other benefits received by the employee.

The proposed bill can be viewed by visiting:

<http://www.malegislature.gov/Bills/187/House/H00049>

## New Hampshire

### **Paid Family Leave Insurance Program – Proposed**

*LSR 717. Proposed: December 12, 2012. Modified: December 20, 2012. Sponsor: Gile.*

Legislative Service Request 717 proposes establishing a commission to study the establishment of a paid family leave insurance program in New Hampshire. This program would be contingent on the availability of federal funds to be administered through the Department of Employment Security. The funds would also be supported by a payroll deduction or other revenue source.

## New York

### Family Leave Act – Proposed

*SB 120. Proposed: December 11, 2012. Sponsor: Peralta.*

Senate Bill 120 would establish a family leave act providing for leaves of absence for the birth or adoption of a child. If passed, an employer would be required to provide any employee to take leave without loss of pay or benefits for up to 12 weeks upon the birth or adoption of a child. In addition, an employer would be required to provide an additional 12 weeks of leave without pay.

The proposed bill can be viewed by visiting:

<http://open.nysenate.gov/legislation/bill/S120-2013>