



Summary of Leave Law Changes

Private Employer Sector

For the period covering: May 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.

Maryland

Family Military Leave— Passed

SB12. Effective: October 1, 2013. Representative Zirkin.

Effective October 1, 2013, employees will be able to take a leave of absence from work on the day that an immediate family member is leaving for, or returning from, active duty outside the United States as a member of the armed forces of the United States.

Employers are prohibited from requiring employees to use compensatory, sick, or vacation leave when taking such leave. This law applies to both private and public employers with 50 or more employees, and to both part-time and full-time employees who have worked for the employer for the last 12 months and for at least 1,250 hours during the last 12 months. Employers may require an employee to submit proof to the employer verifying that the leave is taken in accordance with the law.

The Family Military Leave can be reviewed by visiting [here](#).

Michigan

Family Military Act – Proposed

HB 4777. Proposed: May 28, 2013; Sponsor: Representative Abed.

If passed, HB 4777 would provide for family military leave from employment for the spouse of an individual deployed in active military service under certain conditions and prohibit retaliation for use of family military leave.

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

New York

New York City Earned Sick Time- Passed by City Council

Local Law. Effective: April 1, 2014 if Mayor's veto is overridden; Council Member Brewer.

The New York City Council has passed the Earned Sick Time Act, a paid sick leave bill that will require many employers within the municipality to provide paid time off to employees due to illness. *Please note that as of June 6, 2013, this law was vetoed by the Mayor.*

The ordinance requires employers with 20 or more employees to provide five paid sick days per year, starting April 1, 2014. As of October 1, 2015, employers with at least 15 employees will be required to provide sick days. Manufacturing industry employers are exempt from the paid-leave requirement.

As originally introduced, the ordinance would have required employers with five or more employees to provide paid sick leave. The final version reflects a compromise reached in March between bill proponents and City Council Speaker Christine Quinn, who had delayed a vote due to concerns about the impact of the paid leave requirement on small businesses.

The legislation also includes a reverse trigger: if the economy unexpectedly worsens, the bill will be delayed from taking effect until conditions improve.

Employers that fail to compensate an employee for sick time taken will be required to pay the employee three times the wages that should have been paid, or \$250, whichever is greater. Employers that unlawfully deny sick time or condition the granting of sick leave on the employee's finding a replacement worker to cover for him or her, or to make up hours lost, will be subject to a \$500 fine and equitable relief.

Employers that unlawfully retaliate (short of discharging an employee) may be required to pay the employee full compensation, including wages and benefits lost, along with \$500 and equitable relief. That penalty rises to a \$2,500 fine for retaliatory discharge.

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

Oregon

Family Leave – Proposed

HB 2950. Proposed: May 30, 2013. Representative Keny-Guyer.

If passed, HB 2950 would allow eligible employees to take family leave to deal with death of family member.

Leave time would be limited to a period of two weeks that must be completed within 60 days of notice of death. The leave also requires that leave be counted toward the total period of authorized family leave.

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