



2009 Legislative Summary Sheet Survey of Unpaid Family Leave Bills Introduced into State Legislatures

This legislative summary sheet was developed to give an overview of the policy and legislation related to unpaid family leave. Statutes and bills can be reviewed individually, but often it is useful to view them in "themes" or "clusters" to:

- Highlight legislative activity in one particular state
- Make it easier to compare legislation between states
- Illustrate varying legislation language and content

Contents in this Summary Sheet:

Extends or adopts federal family leave standards	p. 1
Leave for military families	p. 2
Data collection / study of family leave	p. 3
Requires notification of family leave benefits	p. 3
Maintains eligibility for health benefits during family leave	p. 3
Miscellaneous	p. 4



Extends or adopts federal family leave standards

Hawaii

- SB 822 (Introduced 1/23/2009)
- HB 982 (Introduced 1/26/2009)

Establishes a new data collection system for family leave; extends applicability of the state family leave law to the federal standard of employers with 50 or more employees and to certain emergency and casual hires of the state and counties.

Indiana

- HB 1024 (Introduced 1/7/2009)

Allows an employee who works for an employer with at least 20 employees but not more than 49 employees to take up to eight work weeks of unpaid family leave to be with the employee's child or spouse for prenatal preparations or for the birth, adoption, serious illness, or injury of the employee's child, or the illness or injury of the employee's parent or spouse.

Massachusetts

- HB 1816 (Introduced 1/7/2009)

Extends FMLA to employers with 20 or more employees as of 2007, prohibits retaliation, requires employer to offer continuation of health benefits; requires notification of leave benefits to employee.



Leave for military families

Connecticut

- SB 82 (Introduced 1/15/2009)
Provides for the use of family and medical leave to family members caring for injured or ill servicemen and women.
- SB 710 (Introduced 1/27/2009)
Updates the family and medical leave act to allow for additional time for family members to help an injured soldier.

Hawaii

- HB 450 (Introduced 1/23/2009)
- SB 614 (Introduced 1/23/2009)
Grants family leave to an employee during any calendar year to provide family care and support during the military deployment of the employee's child, spouse or reciprocal beneficiary, or parent.
- HB 720 (Introduced 1/23/2009)
Allows an employee to use family leave during any calendar year to provide family care and support during the military deployment of the employee's child, spouse or reciprocal beneficiary, or parent; requires an employee to provide proof of military deployment; defines military deployment.

Indiana

- SB 356 (Introduced 1/8/2009)
Adds a biological child, an adopted child, a foster child, or a stepchild of a person who is ordered to active duty as eligible for military family leave.
- HB 1591 (Introduced 1/16/2009)
Provides that the law, allowing certain employees to take unpaid leave of absence from their employment when a member of their family is ordered to active duty in the armed forces, applies to an employee who is a grandparent of the person called to active duty.

Iowa

- HB 237 (Introduced 2/10/2009)
- SSB 1195 (Introduced 2/11/2009)
Provides for family military leave from employment for certain relatives of individuals called to active military service.

Oregon

- SB 805 (Introduced 3/5/2009)
- HB 2744 (Introduced 2/19/2009)
Requires an employer to provide leave to certain employees who are spouses of members of military forces that are on active duty; makes failure to grant leave, or discrimination against spouse exercising right to military family leave, unlawful practice.



Data collection / study of family leave

Hawaii

- SB 822 (Introduced 1/23/2009)
- HB 982 (Introduced 1/26/2009)

Establishes a new data collection system for family leave; extends applicability of the family leave law to employers with 50 or more employees and to certain emergency and casual hires of the state and counties.

Montana

- HJR 11 (Introduced 1/16/2009)

Studies ramifications of federal Family and Medical Leave Act on government and business.



Requires notification of family leave benefits

Hawaii

- SB 823 (Introduced 1/23/2009)
- HB 319 (Introduced 1/23/2009)

Requires employers to notify employees annually of their entitlement to family leave, as well as possible adverse impact of taking family leave.

Massachusetts

- HB 1816 (Introduced 1/7/2009)

Extends FMLA to employers with 20 or more employees as of 2007, prohibits retaliation, requires employer to offer continuation of health benefits; requires notification of leave benefits to employee.



Maintains eligibility for health benefits during family leave

Massachusetts

- HB 1816 (Introduced 1/7/2009)

Extends FMLA to employers with 20 or more employees as of 2007, prohibits retaliation, requires employer to offer continuation of health benefits; requires notification of leave benefits to employee.

New York

- AB 3523 (Introduced 1/27/2009)

Provides employees with the opportunity to maintain health benefits through employer during approved unpaid leave of absence, as long as the employee continues to pay the employee contribution share through the employer.



Miscellaneous

Delaware

■ HB 157 (Introduced 5/12/2009)

Makes clear that a full-time or part-time teacher of a school district or a charter school who has satisfied all requirements to entitle the teacher to take leave under The Family and Medical Leave Act shall be returned to the same exact teaching position that the teacher held before taking such leave.

Nebraska

■ LB 554 (Introduced 1/21/2009)

Prohibits employers from requiring employees to use paid leave when the employee has qualified for unpaid leave.

Tennessee

■ HB 397 (Introduced 2/9/2009)

Prohibits employers from requiring employees to use vacation time while on family or medical leave.

The Network has compiled a Work-Family Bills and Statutes Database to help provide an overview of the bills that have been proposed and the laws that have been passed in various states that are relevant to work-family issues. This Database includes bills and statutes related to **unpaid family leave** that have been proposed in previous and current legislative sessions. You can connect to this database at: <http://wfnetwork.bc.edu/bills.php?area=policy>