

INTERIM STUDY PROPOSAL 2013-149

1
2 State of Arkansas
3 89th General Assembly
4 Regular Session, 2013

A Bill

HOUSE BILL 1815

5
6 By: Representative Leding

7 Filed with: Interim House Committee on Public Health, Welfare and Labor
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9
10 AN ACT TO PERMIT PARENTAL LEAVE DUE TO THE BIRTH,
11 ADOPTION, OR FOSTER PLACEMENT OF A CHILD; AND FOR
12 OTHER PURPOSES.

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15 **Subtitle**

16 TO PERMIT PARENTAL LEAVE DUE TO THE
17 BIRTH, ADOPTION, OR FOSTER PLACEMENT OF A
18 CHILD.

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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 21-4-203, concerning the definitions used
24 in the Uniform Attendance and Leave Policy Act, is amended to add additional
25 subdivisions to read as follows:

26 (15) "Child" means a person under one (1) year of age;

27 (16) "Parental leave" means leave with pay for an employee for

28 the:

29 (A) Birth of the employee's child;

30 (B) Adoption of a child by the employee that is by order
31 of a court of competent jurisdiction;

32 (C) Foster placement of a child with the employee by the
33 Department of Human Services or by order of a court of competent
34 jurisdiction; or

35 (D) The award of guardianship of a child by a court of
36 competent jurisdiction.

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SECTION 2. Arkansas Code § 21-4-207(f)(1), concerning the use of sick leave by a state employee, is amended to read as follows:

(f)(1) Except in the case of maternity or parental leave, absences due to sick leave shall be charged in the following order:

SECTION 3. Arkansas Code § 21-4-210(c)(1)(A), concerning a state employee's leave of absence without pay, is amended to read as follows:

(c)(1)(A) Except in accordance with § 21-4-212 and in the case of maternity leave under § 21-4-209 or parental leave under § 21-4-217, leave of absence without pay shall not be granted until all of the employee's accumulated annual leave has been exhausted.

SECTION 4. Arkansas Code Title 21, Chapter 4, Subchapter 2, is amended to add an additional section to read as follows:

21-4-217. Parental leave.

(a) As used in this section, "employee" means a person regularly appointed or employed in a position of state service by a governmental entity listed in subdivision (c)(1) of this section for which he or she is compensated on a full-time basis.

(b) An employee may be paid his or her salary in an amount up to seven hundred fifty dollars (\$750) each week for six (6) consecutive weeks of parental leave.

(c) An employee is eligible to obtain parental leave if the employee has:

(1) Been continuously employed for more than one (1) year by the:

- (A) Same state agency;
- (B) General Assembly;
- (C) Bureau of Legislative Research;
- (D) Division of Legislative Audit; or
- (E) Arkansas State Highway and Transportation Department;

(2) Applied in writing for parental leave; and

(3) Received written approval for parental leave from his or her employer.

1 (d)(1) If parental leave is granted to an employee under this section,
2 the employee shall use the parental leave before the employee uses the
3 following:

- 4 (A) Maternity leave;
- 5 (B) Earned sick leave;
- 6 (C) Earned annual leave;
- 7 (D) Earned compensatory leave;
- 8 (E) Catastrophic leave; and
- 9 (F) Leave without pay.

10 (2) An employee eligible for parental leave may choose not to
11 use the parental leave and may use other leave the employee is eligible to
12 use under this subchapter.

13 (e) Parental leave shall be used concurrently with any maternity leave
14 that is granted under federal or state law.

15 (f) Parental leave granted for the foster placement or guardianship of
16 a child shall cease if the child is removed from the custody of the employee
17 by the Department of Human Services or by order of a court of competent
18 jurisdiction.

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21 Referral requested by: Representative Greg Leding

22 Prepared by: JAM/VJF
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