

Department of Finance and Administration

Legislative Impact Statement

Bill: SB125

Bill Subtitle: TO AMEND PROVISIONS OF THE UNIFORM ATTENDANCE AND LEAVE POLICY ACT.

Basic Change :

Sponsors: Senator Irvin and Representative Vaught

This bill repeals the shared leave program.

This bill amends the catastrophic leave program to eliminate all agency banks and establish one bank for all state agencies to be administered by OPM. The following state governmental entities may participate in the OPM bank or establish their own:

1. General Assembly
2. BLR
3. Legislative Audit
4. Highway and Transportation Department
5. Game and Fish Commission
6. Supreme Court
7. Court of Appeals
8. Administrative office of the courts
9. Constitutional office

This bill adds paid maternity leave to an eligible state employee.

Eligibility requirements:

1. Female employee
2. Birth of the employee's child or placement of an adoptive child in the home of the employee
3. The employee has been employed by the state for more than 1 year
4. The employee has not been disciplined for leave abuse the year prior to applying

The maternity leave is only available within the first twelve weeks after the birth or adoption and the employee shall be paid their full salary up to 4 consecutive weeks.

The employee is not required to exhaust sick or annual leave prior to being awarded catastrophic leave for maternity purposes.

The employee does not accrue any leave while on paid maternity leave.

Paid maternity leave is to run concurrent with FMLA. The employee may choose to use her accrued, unused paid leave or take LWOP upon the exhaustion of the paid maternity leave.

Revenue Impact :

For each eligible employee – unknown.

The number of births that were claimed on state insurance for the past two years:

2015 – 237 births for a total cost of approximately \$ 711,000

2016 – 224 births for a total cost of approximately \$ 672,000

Here are two points to consider when reviewing these numbers.

- These only count the live births that were claimed on state insurance. There may have been more births that were claimed on spouse's insurance.
- The cost is a total and would probably be significantly reduced by federal and other funding

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sources.

	Totals	Women Total	Men Total	Women 18 to 45
Total Employees (in AASIS)	27,028	17,120	9,908	8,357
Total Employees making more than \$26K	22,539	13,610	8,929	6,245
Total Employees making less than \$26K	4,489	3,510	979	2,112
Average Salary	\$39,723.00	\$37,540.00	\$43,496.00	\$34,298.00

Taxpayer Impact :

Not applicable.

Resources Required :

Configuring an additional leave category in AASIS.
Converting all employees from the shared leave program to the catastrophic leave bank.

Time Required :

Any employee using shared leave at the time of implementation will be converted to the catastrophic leave bank program.

Procedural Changes :

An eligible employee may be awarded catastrophic leave for maternity purposes up to 4 weeks.
Shared leave is eliminated.

Other Comments :

None.

Legal Analysis :

The one year eligibility requirement should allow the employee to meet the eligibility requirements for FMLA in which case the employer would continue to be responsible its portion of health insurance. This bill would allow an employee to keep their accrued, unused leave. This bill does not allow for paid maternity leave for the placement of a foster child in the employee's home. This bill allows the DFA director or designee to establish policies and procedures to carry out the purpose of the catastrophic leave program.