

FEDERAL LAW

The Family Leave Insurance Act of 2009

The Family Leave Insurance Act of 2009 (H.R. 1723) has been introduced in the U.S. House of Representatives. The bill will provide all employees with 12 weeks of paid leave over a 12-month period to care for a new child, an ill family member, treat their own illness, care for a wounded veteran, or deal with the deployment of a family member. Family member is defined to include a domestic partner, sibling, grandchild, or grandparent who has a serious medical condition.

Costs are shared between employers, employees, and the federal government. Employers and employees will each pay a premium equivalent to 0.2% of each worker's earnings.

- For a worker making the national median income, the premium amounts to

approximately \$80 per year or less than \$7 per month.

- Employers with less than 20 employees will pay a 0.1% premium.
- The program is designed to be self-financing.

Benefits are progressively tiered based on wages, so that a low wage worker (earning less than \$30,000) will receive full or near full salary replacement, middle income workers (\$30,000- \$60,000) receive 55% wage replacement, and higher earners (over \$60,000) receive 40-45%, with the benefit capped at approximately \$800 per week.

The bill further allows states and businesses with materially equivalent or better benefits to opt-out of the program.

STATE LAW CHANGES

Colorado

Committee rejects Paid Sick Leave

The Colorado House Business Affairs and Labor Committee unanimously rejected the bill that would have required private employers in Colorado to provide paid sick leave. The "Healthy Families and Workplaces Act" would have mandated employers to provide paid sick leave to their employees, with various leave entitlements based on the number of employees and the number of hours worked. The Committee postponed all further discussions of the bill indefinitely.

Connecticut

Paid Sick Leave

A bill requiring employers in Connecticut to provide paid sick leave was introduced in the General Assembly. The measure would require employers with 50 or more employees to provide 1 hour of paid sick leave for every 40 hours worked by an employee. The maximum amount of paid sick days that an employee could earn under the bill would be 6.5 days per year and none of those days could be carried over to the following year.

Paid sick leave could be used for the employee's own sickness, the employee's child's sickness, or to deal with sexual assault or family violence issues.

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Montana

Paid Sick Leave

A bill that mandates paid sick leave (HB 579) has been introduced to the Montana legislature. The bill would require an employer with 10 or more employees to provide each employee a minimum of 1 hour paid sick leave for every 30 hours worked by the employee. An employee may not accumulate more than 72 hours or 9 days annually. Unused paid sick leave carries over to the next year, but the total paid sick leave that an employee is entitled to may not exceed a total of 9 days for any calendar year unless the employer provides otherwise.

Employees may use this leave to deal with their own health needs and the health needs of their families, including leave for purposes of dealing with domestic abuse, a sexual offense or stalking.

The bill is now in the hands of the House Business and Labor Committee.

Nevada

School Leave

A bill that requires employers to grant school leave (AB 243) has been introduced to the Nevada Assembly. The bill requires employers with 50 or more employees to allow parents, guardians or custodians of a child enrolled in a public school or private school to take 4 hours of leave per school year per child to attend school-related activities or to volunteer at the school in which the child is enrolled. The bill further requires the leave to be taken at a mutually agreed time, however employers are not required to pay the employee for the leave.

Existing law only prohibited employers or their agents from terminating employees (who are parents, guardians or custodians of a child enrolled in public school) because of an absence taken for purposes of attending a conference requested by a school administrator or were notified of an emergency involving the child at school. (NRS 392.920)

Reminder

Reed Group recommends that employers review their employee handbook, leave and FMLA policies in order to ensure they are in compliance with the revised and new regulations.

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