

FEDERAL LAW

A new bill that would provide time-off for crime victims has been introduced to the US House of Representatives. The proposed "Crime Victims Employment Leave Act" would extend the Family and Medical Leave Act (FMLA) to protect victims of violent crime and domestic violence and their families from being terminated or demoted for taking time off work to go to court.

Arizona, California, Colorado, Florida, Connecticut, Hawaii, Illinois, Maine, Minnesota, Missouri, New Hampshire, New York, North Carolina, Oregon, Rhode Island and Virginia have either enacted or amended their laws to provide some form of protection to victims of crime or domestic violence to use their leave time for court proceedings or other related purposes, but federal law currently contains no similar protection.

STATE LAW CHANGES

California

A new bill has been introduced to the California legislature. Under the new proposed legislation named the "Healthy Families, Healthy Workplace Act of 2008" employers are required to provide up to seven days paid sick leave in a calendar year to all employees who work in California. The law proposes that employees accrue no less than one hour of paid sick time for every 30 hours worked.

Under this proposed legislation, paid sick leave can be used for the diagnosis, care, or treatment of a health condition, or preventive care for, an employee's own or a family member's condition. The leave may also be used for conditions related to domestic violence or sexual assault.

Colorado

Gov. Bill Ritter signed a bill that requires employers to provide time and space for nursing mothers to breastfeed or pump milk. The Workplace Accommodations for Nursing Mothers Act is a measure that requires all employers to provide reasonable unpaid break

time or permit an employee to use paid break time, meal time, or both, each day to allow the employee to express breast milk for her nursing child for up to 2-years after the child's birth.

Employers are required to make reasonable efforts to provide a room or other location, other than a toilet stall, in close proximity to the work area. The bill will go in to effect on August 6, 2008 unless a referendum petition is filed against it.

District of Columbia

The Mayor of DC has signed the "Accrued Sick and Safe Leave Act." Congress has thirty days to review it before the bill takes effect. San Francisco is the only other city that mandates paid sick leave.

Maine

The state of Maine has amended its family medical leave law. The change allows employees to take family medical leave for a sibling with a serious health condition or who dies. A "sibling" is defined as a sibling of an

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employee who is jointly responsible with the employee for each other's common welfare, as evidenced by joint living arrangements and joint financial arrangements.

The bill will be effective as of June 30, 2008.

New Jersey

The state senate of New Jersey approved the new law that expands the state's temporary disability insurance program to give workers up to 6-weeks of paid family leave during any 12-month period to care for a sick family member or a newborn or newly adopted child. It provides temporary disability insurance benefits at two-thirds of wage replacement up to a maximum of \$524 per week in 2008. The program would be financed through a payroll deduction.

Employees, however, must exhaust maternity and disability leave time prior to being eligible for paid family leave. In addition, employees would also have to use at least two weeks of sick leave and vacation time before using paid family leave time.

The governor of New Jersey has previously indicated that he would sign the bill into law.

New Jersey will be the third state, and California and Washington already have similar plans.

New York

New York amended its blood donation leave law, mandating that employers provide employees with three hours of leave in order to donate blood during

work hours per year. Alternatively, employers may allow employees without the use of accumulated leave time to donate blood during work hours, at least two times per year, at a convenient time and place for the employees to donate. Thus, allowing an employee to participate in a blood drive at the employee's place of employment satisfies this requirement.

The amendment will take effect retroactively as of Dec. 13, 2007, though it was enacted in March 2008.

Washington

I. Military Leave

The Governor of the State of Washington has signed the Military Family Leave Act into law. All employers in the state are required to provide employees who work for an average of 20 or more hours per week up to 15 days unpaid leave per deployment. The leave must be used before deployment, up to the day of deployment, or while the military spouse is on leave from a deployment. Employees are responsible for providing five days' notice once the spouse receives official notification of an impending call or order to active duty.

This law will go into effect on June 12, 2008.

II. Domestic Violence Leave

The Washington legislature also passed "Domestic Violence Leave Law." Under the law, victims of domestic violence, sexual assault, or stalking may take reasonable leave from work — paid or unpaid — to take care of legal or law enforcement needs and obtain health care. Family members of a victim may also take reasonable leave to help the

victim obtain treatment or secure safety.

"Family member" includes a child, spouse, parent, parent-in-law, grandparent or person whom the employee is dating.

The new law takes effect on April 1, 2008

Reminder

Reed Group encourages employers to review their leave policies in order to ensure they are in compliance with the new state laws.

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