

(PRE-FILED)

By: **Delegate Ramirez**

Requested: August 13, 2003

Introduced and read first time: January 14, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment - Parental Leave - School Activities**

3 FOR the purpose of requiring an employer to provide certain leave to an employee
4 who attends certain activities regarding the employee's child; requiring an
5 employee to provide reasonable prior notice to the employee's employer;
6 providing that an employer is not required to grant paid leave to an employee
7 who attends certain activities regarding the employee's child; authorizing an
8 employee to use certain paid leave to attend certain activities regarding the
9 employee's child; defining a certain term; and generally relating to providing
10 leave to an employee who attends school activities for the employee's child.

11 BY repealing and reenacting, without amendments,
12 Article - Labor and Employment
13 Section 3-801
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Labor and Employment
18 Section 3-802
19 Annotated Code of Maryland
20 (1999 Replacement Volume and 2003 Supplement)

21 BY adding to
22 Article - Labor and Employment
23 Section 3-803
24 Annotated Code of Maryland
25 (1999 Replacement Volume and 2003 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
27 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Labor and Employment

2 3-801.

3 (a) In this subtitle, "employer" means a person engaged in a business,
4 industry, profession, trade, or other enterprise in the State.

5 (b) "Employer" includes:

6 (1) a unit of State or local government that employs individuals who are
7 not subject to the provisions of Title 9, Subtitle 5 of the State Personnel and Pensions
8 Article; and

9 (2) a person who acts directly or indirectly in the interest of another
10 employer with an employee.

11 3-802.

12 (a) This [subtitle] SECTION applies to an employer who provides leave with
13 pay to an employee following the birth of the employee's child.

14 (b) An employer who provides leave with pay to an employee following the
15 birth of the employee's child shall provide the same leave with pay to an employee
16 when a child is placed with the employee for adoption.

17 3-803.

18 (A) IN THIS SECTION, "CHILD" INCLUDES A FOSTER CHILD.

19 (B) (1) AN EMPLOYER SHALL PROVIDE AN EMPLOYEE LEAVE OF UP TO A
20 TOTAL OF 16 HOURS DURING ANY 12-MONTH PERIOD TO ATTEND SCHOOL
21 CONFERENCES OR SCHOOL-RELATED ACTIVITIES RELATED TO THE EMPLOYEE'S
22 CHILD, IF THE CONFERENCES OR SCHOOL-RELATED ACTIVITIES CANNOT BE
23 SCHEDULED DURING NONWORK HOURS.

24 (2) IF THE EMPLOYEE'S CHILD RECEIVES CHILD CARE SERVICES AS
25 DEFINED IN § 5-507 OF THE FAMILY LAW ARTICLE OR ATTENDS A PREKINDERGARTEN
26 REGULAR OR SPECIAL EDUCATION PROGRAM, THE EMPLOYEE MAY USE THE LEAVE
27 TIME PROVIDED IN THIS SECTION TO ATTEND A CONFERENCE OR ACTIVITY RELATED
28 TO THE EMPLOYEE'S CHILD, OR TO OBSERVE AND MONITOR THE SERVICES OR
29 PROGRAM, PROVIDED THE CONFERENCE, ACTIVITY, OR OBSERVATION CANNOT BE
30 SCHEDULED DURING NONWORK HOURS.

31 (C) WHEN THE LEAVE IS FORESEEABLE, THE EMPLOYEE MUST PROVIDE
32 REASONABLE PRIOR NOTICE OF THE LEAVE AND MAKE A REASONABLE EFFORT TO
33 SCHEDULE THE LEAVE SO AS NOT TO DISRUPT THE OPERATIONS OF THE EMPLOYER.

34 (D) (1) AN EMPLOYER IS NOT REQUIRED TO PROVIDE THE EMPLOYEE WITH
35 PAID LEAVE UNDER SUBSECTION (B) OF THIS SECTION.

1 (2) AN EMPLOYEE MAY USE ANY ACCRUED VACATION OR ANNUAL PAID
2 LEAVE OR OTHER APPROPRIATE PAID LEAVE FOR ANY PART OF THE LEAVE UNDER
3 SUBSECTION (B) OF THIS SECTION.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
5 effect July 1, 2004.