

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 329
Finance

(Senator Ferguson, *et al.*)

Education - Parent-Teacher Meetings - Unpaid Leave

This bill specifies that an employee of an “employer” in the State may use “unpaid leave” to attend a parent-teacher meeting. An employee who uses unpaid leave to attend a parent-teacher meeting must notify the employer at least three days before the employee intends to use such leave. An employee may not use more than four hours of unpaid leave for a parent-teacher meeting and may not use such leave more than four times each academic year (twice per semester). The employer may require the employee to provide evidence that the employee actually used the leave for this authorized purpose. The bill does not affect existing collective bargaining agreements that already provide a leave benefit for parent-teacher meetings, or future agreements or employment policies that provide a greater benefit.

Under the bill, an employer includes the State and local governments.

Fiscal Summary

State Effect: Potential operational impact on the State due to decreased employee productivity associated with offering State employees unpaid leave to attend parent-teacher meetings. To the extent other staff must work overtime to provide coverage, expenditures may increase minimally. Any effect may be mitigated to the extent that State employees choose to use paid leave already available to them to avoid losing income. Revenues are not affected.

Local Effect: Potential operational impact on local governments due to decreased employee productivity. To the extent other staff must work overtime to provide coverage, expenditures may increase minimally. Local government revenues are not affected.

Small Business Effect: Potential meaningful.

Analysis

Current Law/Background: Employees in the State Personnel Management System (SPMS) earn between three and six days of personal leave per year that an employee can use to attend a parent-teacher meeting. SPMS employees also earn annual leave. Employees governed by other personnel management systems in the State and most local government employees also earn paid leave that may be used to attend a parent-teacher meeting. Some State employees, such as temporary or contractual workers, do not earn paid leave and are required to take unpaid leave for this purpose.

State/Local Fiscal Effect: The State employs nearly 90,000 individuals, including permanent and contractual employees. The number of employees throughout the various State agencies who take unpaid leave for parent-teacher meetings due to the bill cannot be reliably estimated; however, Legislative Services estimates that between 40% and 50% of State employees may be eligible for up to 16 hours of unpaid leave per year under the bill. Given that a significant number of employees may be eligible to take leave under the bill, rather than use another form of leave already available under the current benefit package, State agencies likely experience operational inefficiencies and potentially fiscal impacts associated with lost working time. State employees with sufficient paid leave available to them may opt to use that leave instead of unpaid leave to avoid losing income, thereby mitigating the effects of the bill.

Local governments in the State experience similar effects; however, local government employees are already likely afforded the ability to use unpaid leave.

Small Business Effect: Small businesses in the State may experience increased costs associated with lost work time and potential overtime pay for other employees to cover shifts. In addition, the bill may create operational difficulties for many small businesses to periodically excuse some employees so that they may attend parent-teacher meetings. The extent to which employees are already afforded such a benefit is unclear.

Additional Information

Prior Introductions: None.

Cross File: HB 567 (Delegate Luedtke, *et al.*) - Economic Matters.

Information Source(s): Department of Budget and Management, Maryland State Department of Education, Judiciary (Administrative Office of the Courts), Maryland Association of Counties, Maryland Municipal League, University System of Maryland, Department of Legislative Services

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mlm/ljm

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