

HB1026/243497/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1026
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “circumstances;” insert “authorizing an employer to deny unpaid parental leave to an eligible employee under certain circumstances;”; in line 10, after “circumstances;” insert “authorizing an employer, during the period of parental leave, to terminate employment of an eligible employee only for cause;”; and in line 12, after “circumstances;” insert “authorizing an employer, except under certain circumstances, to recover the premium for maintaining certain health coverage by deducting the amount of the premium from certain wages; requiring an employer to pay certain commissions to certain employees during any period of parental leave;”.

On page 5, in line 16, strike “**APPLICANT OR**”.

AMENDMENT NO. 2

On page 4, in line 22, after “**AN**” insert “**ELIGIBLE**”; and in the same line, strike “**USING PARENTAL LEAVE**” and substitute “**ONLY**”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 13 and 14; in lines 15 and 25, strike “**(C)**” and “**(D)**”, respectively, and substitute “**(B)**” and “**(C)**”, respectively; in line 21, after “**INDIVIDUAL**” insert “**;**”

(I)”;

and in line 24, after “**15**” insert “**;** **OR**”

(Over)

(II) WHO IS AN INDEPENDENT CONTRACTOR.

On page 3, in lines 5, 10, and 12, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively.

On page 4, in line 24, after “(A)” insert “(1)”; strike beginning with “EXCEPT” in line 24 down through “DURING” in line 25 and substitute “DURING”; and in line 30, strike “(B) (1)” and substitute “(2) (1)”.

On page 5, in line 4, strike “(2)” and substitute “(II)”; in the same line, strike “SUBSECTION” and substitute “PARAGRAPH”; after line 6, insert:

“(3) AN EMPLOYER MAY RECOVER A PREMIUM UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION BY DEDUCTING THE AMOUNT OF THE PREMIUM FROM THE WAGES PAID TO THE EMPLOYEE ON THE TERMINATION OF EMPLOYMENT UNDER § 3-505 OF THIS TITLE.

(B) IF AN ELIGIBLE EMPLOYEE WORKS ON A COMMISSION BASIS, AN EMPLOYER SHALL PAY TO THE ELIGIBLE EMPLOYEE DURING ANY PERIOD OF PARENTAL LEAVE ANY COMMISSION THAT BECOMES DUE BECAUSE OF WORK THE ELIGIBLE EMPLOYEE PERFORMED BEFORE TAKING PARENTAL LEAVE.”;

and strike beginning with “AND” in line 24 down through “DAMAGES” in line 25.

AMENDMENT NO. 4

On page 3, in line 15, strike “AN” and substitute “(A) **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN**”; and after line 20, insert:

“(B) AN EMPLOYER MAY DENY UNPAID PARENTAL LEAVE TO AN ELIGIBLE EMPLOYEE IF:

(1) THE DENIAL IS NECESSARY TO PREVENT SUBSTANTIAL AND GRIEVOUS ECONOMIC INJURY TO THE OPERATIONS OF THE EMPLOYER; AND

(2) THE EMPLOYER NOTIFIES THE EMPLOYEE OF THE DENIAL BEFORE THE EMPLOYEE BEGINS TAKING THE LEAVE.”