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Patrick Moran – President

**SB 109 - State Employees - Parental Bereavement Leave
Appropriations Committee
March 26, 2024**

FAVORABLE WITH AMENDMENT

AFSCME Council 3 supports SB 109. This legislation provides for 10 days of paid leave for state employees who experience the loss of a child, and up to 60 days of parental bereavement leave after a state employee experiences a stillbirth or death of an infant. State employees are limited to using this leave within 60 days after they experience the death of their child or a stillbirth, and they do not have to exhaust other types of paid leave first.

We commend the sponsor for bringing forward this important legislation, SB 109, which standardizes a parental bereavement leave benefit to be accessible to all state employees. We have had members experience the tragedy of stillbirth while performing their job duties for the state. In one instance, a state hospital worker was assaulted by a patient while pregnant. Her doctor ordered her to go on bed rest, causing her to exhaust her sick leave. Sadly, the fetus did not survive, and she was forced to undergo a cesarean to deliver the stillborn. Her only option for recovery and grieving was to utilize unpaid FMLA leave, which she could not afford. In this instance, she was not eligible for parental leave. However, with SB 109, she would have been able to access 60 days of parental bereavement leave. The policy of allowing employees to grieve without loss of leave or pay is the right thing to do.

Amendment

We have one amendment to propose for SB 109 to ensure it conforms with the cross-file HB 52, which passed the House with a unanimous vote.

1. As written, there's some ambiguity over whether SB 109 includes employees of our higher education institutions. We request the following amendment to correct this:
On pg. 2, lines 27-28 add: "all employees of a public institution of higher education, as defined in § 2-308 of this article."

SB 109 is good and compassionate legislation, that if passed, will help state employees during the worst times in their life. Please provide a favorable recommendation with this amendment.