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Patrick Moran – President

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**SB 109 - State Employees - Parental Bereavement Leave  
Finance Committee  
February 1, 2024**

**FAVORABLE WITH AMENDMENTS**

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. To access this leave, state employees must:

- Experience the death of a child under the age of 21; or
- Experience a stillbirth themselves or with their partner or surrogate.

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 bringing forward this important legislation. SB 109 standardizes a leave benefit that should be accessible to all state employees. We have had members experience the tragedy of stillbirth after being assaulted in the performance of their job duties for the state. In one case, a state hospital worker was assaulted by a patient while she was pregnant. She was ordered to go on bed rest by her Doctor causing her to exhaust her sick leave. Sadly, the fetus did not survive, and she was forced to get a cesarean to deliver the stillborn. Her only option in recovery and grieve was to utilize unpaid FMLA leave which she could not afford. While the leave established under SB 109, still would not have been enough in this situation – the policy of allowing for the employee to grieve in this situation without loss of leave or pay would have gone a long way. Providing for paid parental bereavement leave is the right things to do.

**Amendments**

We respectfully request 2 amendments:

1. As written, SB 109 does not include employees of our higher education institutions.

We request the following amendment to correct this:

***On pg. 2, lines 19-20 add: “employees of a public institution of higher education or community college that is established or operates under the Education Article.”***

2. To maintain consistency for our members we request the following amendment:

***On pg. 2, line 5: replace “under the age of 21 years” with “26 years or younger.”***

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

