

AMENDMENTS TO HOUSE BILL NO. 1890

Sponsor: REPRESENTATIVE FIEDLER

Printer's No. 2623

1 Amend Bill, page 1, line 1, by inserting after "remains"
2 and for paid family leave

3 Amend Bill, page 1, by inserting between lines 12 and 13

4 "Eligible employee." As defined in the FMLA.

5 "Employer." A person engaged in commerce or an industry or
6 activity affecting commerce that employs at least four employees
7 in this Commonwealth for each working day during each of 20 or
8 more calendar workweeks in the current or preceding calendar
9 year. The term includes:

10 (1) A person who acts, directly or indirectly, in the
11 interest of an employer to any of the employees of the
12 employer and any successor in interest of the employer.

13 (2) The Commonwealth and any of its political
14 subdivisions and municipal authorities.

15 Amend Bill, page 1, by inserting after line 17

16 "FMLA." The Family and Medical Leave Act of 1993 (Public Law
17 103-3, 29 U.S.C. § 2601 et seq.).

18 Amend Bill, page 3, by inserting between lines 16 and 17

19 Section 4. Paid family leave.

20 (a) General rule.--An employer shall provide not less than
21 12 weeks of paid leave to an eligible employee during the period
22 extending from the beginning of a pregnancy to one year after a
23 miscarriage.

24 (b) Protections.--An eligible employee who takes leave
25 provided under subsection (a) shall be entitled to the same
26 protections and rights that an eligible employee is entitled to
27 under the FMLA, including protection from discrimination and
28 interference, the right to reinstatement and the right to
29 continuation of health care benefits.

30 (c) Amount of leave and benefits.--

31 (1) The amount of leave taken by an eligible employee
32 under this section during a 12-month period shall be counted
33 against the amount of leave the eligible employee is entitled
34 to under the FMLA and may be taken at any time from the
35 beginning of pregnancy to up to one year after a miscarriage.

1 (2) An eligible employee entitled to paid leave under
2 this section shall be paid, during the period of leave, the
3 full rate of pay the eligible employee received before the
4 period of leave commences or, if the rate of pay is based on
5 an hourly rate, the weekly average applicable during the four
6 weeks before the period of leave commences.

7 (3) An employer of an eligible employee entitled to paid
8 leave under this section may not, during the period of leave,
9 terminate, reduce or in any manner diminish the other
10 benefits or emoluments of employment to which the eligible
11 employee was entitled before the period of leave commences.
12 Section 5. Regulations.

13 The Department of Labor and Industry may promulgate
14 regulations necessary to implement section 4.

15 Amend Bill, page 3, line 17, by striking out "4" and
16 inserting

17 6

18 Amend Bill, page 3, line 18, by striking out "this act" and
19 inserting

20 section 3

21 Amend Bill, page 3, line 22, by striking out "5" and
22 inserting

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