

AMENDMENTS TO HOUSE BILL NO. 181

Sponsor: REPRESENTATIVE GLEIM

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1 Amend Bill, page 7, line 26, by inserting after "act."

2 An employer responsible for providing employment protections
3 under section 308 or coordination of benefits under section 309
4 may appeal the approval of the claim by sending notice on a form
5 provided by the department within 21 days of notice of the
6 approved claim on the basis that the employee is not eligible
7 for paid family and medical leave benefits under this act. If
8 the employee is found ineligible after a hearing, the department
9 shall attempt to recover any erroneous payments made to the
10 employee in accordance with section 502.

11 Amend Bill, page 10, line 7, by striking out "a denial of"
12 and inserting

13 eligibility determinations for

14 Amend Bill, page 12, line 14, by inserting after
15 "certification."

16 The claim application shall require employees to certify
17 that the employee notified the current employer of the need for
18 leave in accordance with section 501(d).

19 Amend Bill, page 23, line 23, by striking out "or verbal"

20 Amend Bill, page 23, lines 28 through 30, by striking out
21 "practicable," in line 28 and all of lines 29 and 30 and
22 inserting

23 practicable. Notice under this subsection shall be provided
24 to the employer on a form prescribed by the department and shall
25 include the reasons for requesting leave under this act. The
26 employee shall provide any documentation of the need for leave
27 requested by the employer within three business days unless the
28 employer's request for specific documents or information is
29 prohibited by Federal or State law.

30 (e) Employer notice to department.--Within 21 days of
31 receipt of written notice from an employee under subsection (d),

1 an employer may notify the department if the employer believes
2 that the employee is not eligible for paid family and medical
3 leave benefits under this act. The notice shall be on a form
4 prescribed by the department and shall be accompanied by any
5 relevant information in the employer's possession. The following
6 apply:

7 (1) If the department has not determined whether the
8 employee is eligible for benefits when notice from the
9 employer is received, the department shall consider the
10 information provided by the employer when making an
11 eligibility determination.

12 (2) If the department has already determined that the
13 employee is eligible for benefits, the department shall
14 review its eligibility determination in consideration of the
15 information provided by the employer.

16 (3) If an employee is determined ineligible after a
17 review in accordance with paragraph (2), the department shall
18 cease benefit payments to the employee and attempt to recover
19 any erroneous payments made to the employee in accordance
20 with section 502.

21 Amend Bill, page 26, line 5, by striking out "the denial of"

22 and inserting

23 eligibility for