

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2038 Session of
2015

INTRODUCED BY BULLOCK, SIMS, YOUNGBLOOD, O'BRIEN, V. BROWN,
KINSEY, J. HARRIS, FRANKEL, DONATUCCI, SAVAGE AND ROZZI,
MAY 9, 2016

REFERRED TO COMMITTEE ON EDUCATION, MAY 9, 2016

AN ACT

1 Providing for the Parent Involvement Leave Act.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Parent
6 Involvement Leave Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Children of school age" or "child of school age." As
12 defined by section 1401(1) of the act of March 10, 1949 (P.L.30,
13 No.14), known as the Public School Code of 1949.

14 "Employee." An individual from whose wages an employer is
15 required under the Internal Revenue Code of 1986 (Public Law 99-
16 514, 26 U.S.C. § 1 et seq.) to withhold Federal income tax.

17 "Employer." Includes the Commonwealth or any political

1 subdivision or board, department, commission or school district
2 thereof and any person employing 20 or more persons within this
3 Commonwealth, but except as hereinafter provided, does not
4 include religious, fraternal, charitable or sectarian
5 corporations or associations, except such corporations or
6 associations supported, in whole or in part, by governmental
7 appropriations. The term "employer" with respect to
8 discriminatory practices based on race, color, age, sex,
9 national origin or non-job-related handicap or disability,
10 includes religious, fraternal, charitable and sectarian
11 corporations and associations employing 20 or more persons
12 within this Commonwealth.

13 "Parent." The term includes a biological mother or father of
14 a child, a person who has legal custody of a child, a person who
15 acts as a guardian of a child or a person married or in a
16 domestic partnership with a person listed above.

17 "School-related activity." An activity or meeting related to
18 a child's participation in an extracurricular activity or
19 educational meeting that may include, but shall not be limited
20 to:

- 21 (1) Parent-teacher conferences.
- 22 (2) Individualized Education Program meetings.
- 23 (3) Dropout prevention.
- 24 (4) Attendance, truancy or disciplinary issues.
- 25 (5) Concerts.
- 26 (6) Plays.
- 27 (7) Rehearsals.
- 28 (8) Sporting events.

29 "Student with a disability." As defined by section 1301-A of
30 the act of March 10, 1949 (P.L.30, No.14), known as the Public

1 School Code of 1949.

2 Section 3. Parental involvement leave.

3 (a) General rule.--Employers shall grant eight hours of
4 unpaid leave per year to any parent of a child of school age to
5 attend school-related activities.

6 (b) Requirements.--Leave granted under this section is
7 subject to the following:

8 (1) To be eligible, a parent must have been employed for
9 at least six out of the last 12 months with the employer.

10 (2) Leave shall be requested by the parent no fewer than
11 four days in advance of the school-related activity, or as
12 soon as reasonably possible in case of an emergency.

13 (3) The parent must make a reasonable attempt to
14 schedule the school-related activity during nonwork hours.

15 (4) The parent must provide written documentation if
16 requested by the employer.

17 (c) Additional hours.--A parent with a child that has an
18 Individualized Education Program under 22 Pa. Code § 14.131
19 (relating to IEP) or whose child is a student with a disability
20 shall be given four additional hours of unpaid leave to attend
21 meetings and activities related to the education of the child.

22 Section 4. Employer.

23 (a) General rule.--An employer shall approve or deny leave
24 within 48 hours of the request.

25 (b) Denial of leave.--If an employer denies leave, the
26 employer shall provide written justification for the denial to
27 the employee.

28 Section 5. Retaliation.

29 An employer shall not terminate, demote, suspend or otherwise
30 discriminate against an employee who takes leave under this act.

1 Section 6. Rules and regulations.

2 The Secretary of Labor and Industry shall promulgate rules
3 and regulations to administer and enforce this act.

4 Section 7. Effective date.

5 This act shall take effect in 90 days.