

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1764 Session of
2005

INTRODUCED BY LEVDANSKY, BEBKO-JONES, BELARDI, BIANCUCCI,
BLACKWELL, CALTAGIRONE, COHEN, CURRY, EACHUS, FABRIZIO,
FRANKEL, FREEMAN, JAMES, JOSEPHS, LEDERER, PALLONE, PISTELLA,
PRESTON, SHANER, SOLOBAY, STABACK, SURRA, THOMAS, WATERS,
WHEATLEY, YOUNGBLOOD AND YUDICHAK, JUNE 21, 2005

REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 21, 2005

AN ACT

1 Relating to family leave; and providing certain enhancements.

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 Family Leave
6 Enhancement 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 "Elderly relative." An individual at least 60 years of age
12 who is related by blood or marriage to the eligible employee,
13 including a parent.

14 "Eligible employee." An employee eligible for family and
15 medical leave under the Family and Medical Leave Act of 1993
16 (Public Law 103-3, 29 U.S.C. § 2601 et seq.).

1 "Employer." An employer as defined under the Family and
2 Medical Leave Act of 1993 (Public Law 103-3, 29 U.S.C. § 2601 et
3 seq.).

4 "School." An elementary school or secondary school, as such
5 terms are defined in section 14101 of the Elementary and
6 Secondary Education Act of 1965 (Public Law 89-10, 79 Stat. 27),
7 a Head Start program assisted under the Head Start Act (Public
8 Law 97-35, 42 U.S.C. § 9831 et seq.) and a child-care facility
9 licensed in this Commonwealth.

10 Section 3. Parental involvement and elder care leave.

11 In addition to any leave permitted under the Family and
12 Medical Leave Act of 1993 (Public Law 103-3, 29 U.S.C. § 2601 et
13 seq.), an eligible employee shall be entitled to a total of 24
14 hours of unpaid leave during any 12-month period from an
15 employer to:

16 (1) Participate in school activities directly related to
17 the educational advancement of a son or daughter of the
18 employee, such as parent-teacher conferences or interviewing
19 for a new school.

20 (2) Accompany the son or daughter of the employee to
21 routine medical or dental appointments, such as checkups or
22 vaccinations.

23 (3) Accompany an elderly relative of the employee to
24 routine medical or dental appointments or appointments for
25 other professional services related to the elder's care, such
26 as interviewing at nursing or group homes.

27 Section 4. Schedule.

28 Leave under section 3 (relating to parental involvement and
29 elder care leave) may be taken intermittently or on a reduced
30 leave schedule.

1 Section 5. Substitution of paid leave.

2 An eligible employee may elect, or an employer may require
3 the employee, to substitute any of the accrued paid vacation
4 leave, personal leave or family leave of the employee for leave
5 provided under section 3 (relating to parental involvement and
6 elder care leave) for any part of the 24-hour period of such
7 leave.

8 Section 6. Notice.

9 If the necessity for leave under section 3 (relating to
10 parental involvement and elder care leave) is foreseeable, the
11 employee shall provide the employer with not less than seven
12 days' notice before the date the leave is to begin. If the
13 necessity for leave is not foreseeable, the employee shall
14 provide such notice as is practicable.

15 Section 7. Certification.

16 An employer may require that a request for leave under
17 section 3 (relating to parental involvement and elder care
18 leave) be supported by a certification issued at such time and
19 in such manner as the Secretary of Labor and Industry may by
20 regulation prescribe.

21 Section 8. Effective date.

22 This act shall take effect in 60 days.