

JAN 20 2017

A BILL FOR AN ACT

RELATING TO PUBLIC EMPLOYMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii's working
2 families are not adequately supported during times of child
3 caregiving. While the federal Family and Medical Leave Act of
4 1993 allows twelve weeks of unpaid family leave each year for
5 employees of a public agency or a private business that employs
6 fifty or more employees, the majority of Hawaii's workforce
7 cannot afford to take unpaid leave to provide care to a newborn
8 or bond with a new child.

9 The legislature further finds that paid parental leave can
10 have a significant positive effect on the health of both
11 children and parents. Studies have shown that paid parental
12 leave can reduce rates of infant mortality, increase the
13 likelihood of infants getting the necessary doctor visits and
14 vaccinations, and increase the rate and duration of breast-
15 feeding. There can also be both short-term and long-term mental
16 health effects, with studies showing that women who were
17 afforded a more generous maternity leave policy reported fewer



1 depressive symptoms, even thirty years later when they were
2 fifty years of age or older. For fathers, studies indicate that
3 paid paternity leave can lead to men being more involved with
4 their children and child care activities when compared with men
5 who take no leave.

6 Several states and even the federal government have taken
7 steps towards providing more robust parental leave plans. In
8 2004, California became the first state to implement a paid
9 family leave policy, and since then New Jersey, Rhode Island,
10 and most recently New York have implemented similar legislation.
11 In 2015, U.S. Senator Brian Schatz introduced a bill to Congress
12 that proposed paid leave for six weeks of the twelve weeks of
13 unpaid family leave provided under the Family and Medical Leave
14 Act of 1993.

15 The legislature believes that Hawaii, with the State's
16 emphasis on the importance of family and children, should be
17 leading the way in ensuring that working families are adequately
18 supported when providing care to a newborn or bonding with a new
19 child. Therefore, the legislature finds that the state
20 government should lead by example and afford a more generous
21 maternity and paternity leave policy for state employees.



1 The purpose of this Act is to establish a government
2 maternity and paternity leave policy that is on par with that of
3 leading private-sector companies and other industrialized
4 nations so that the State can ensure that Hawaii's working
5 families are adequately supported when providing care to a
6 newborn or bonding with a new child.

7 SECTION 2. Chapter 78, Hawaii Revised Statutes, is amended
8 by adding a new section to be appropriately designated and to
9 read as follows:

10 "§78- Paid maternity and paternity leave. (a) An
11 employee shall be entitled to a total of six weeks of paid
12 maternity and paternity leave during any calendar year to care
13 for the employee's child immediately following the birth of a
14 child, the adoption of a child, or foster placement of a child
15 with the employee.

16 (b) An employee granted leave of absence pursuant to this
17 section shall be paid at their regular rate of pay for those
18 regular hours during which the employee is absent from work,
19 without loss of seniority, pay, vacation, sick leave, or earned
20 overtime accumulations.



1 (c) Paid maternity and paternity leave shall be payable
 2 from any appropriation or fund available for salaries or
 3 expenses for positions within the governmental department or
 4 agency with which the employee is employed.

5 (d) Nothing in this section shall entitle an employee to
 6 more than a total of twelve weeks of leave in any twelve-month
 7 period. Any maternity and paternity leave that is not used
 8 within the period specified in subsection (a) shall not
 9 accumulate for any subsequent use."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *[Signature]*

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S.B. NO. 521

Report Title:

Employment; Government Employees; Maternity Leave; Paternity Leave; Paid Leave

Description:

Establishes a 6-week paid maternity and paternity leave policy for government employees to ensure that Hawaii's working families are adequately supported during times of needing to provide care to a newborn or bond with a new child.

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