
DIGEST

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HB 832 Original

2020 Regular Session

Willard

Abstract: Creates provisions and protections for an employee's sick leave benefits.

Proposed law provides that an employer who employs twenty or more employees shall provide paid sick leave for all full-time and part-time employees.

Proposed law provides that an employer who employs less than two employees shall provide unpaid sick leave for all full-time and part-time employees.

Proposed law provides that the employer must grant sick leave benefits at a rate equal to one hour of sick leave for every 30 hours up to a maximum of 40 hours of sick leave per year. Proposed law further provides that the paid sick leave is accrued in an amount equal to the employee's pay rate.

Proposed law provides that an employee shall begin accruing sick leave hours at the commencement of his employment and after 90 days of employment, the employee is entitled to use his sick leave.

Proposed law provides the employee may use sick leave for any of the following:

- (1) An employee's medical treatment or care for illness.
- (2) Medical treatment or care for illness of a family member.
- (3) Business closure due to a public health emergency.
- (4) An employee's child's school closure due to a public health emergency.
- (5) Injuries sustained by the employee as a result of domestic violence, sexual assault, or stalking.
- (6) An employee's attendance at a meeting at his child's school in relation to the child's disability or a health-related matter.

Proposed law provides that for the purposes of this proposed law, "family member" means a child, parent, in-law, spouse, grandparent, grandchild, sibling, or any other person related by blood or affinity whose association with the employee is the equivalent of family relationship. Proposed law further provides that the term "family member" shall include domestic partners if the employer provides other benefits to domestic partnerships in the course and scope of employment.

Proposed law provides that an employee is required to notify the employer, either orally or in writing, that he intends to use sick leave.

Proposed law provides that for any use of sick leave for 3 days or longer, the employer may require an employee to obtain reasonable documentation from a healthcare provider or other official.

Proposed law provides that an employer cannot retaliate, discharge, expel, demote, or otherwise discriminate against an employee because he uses his sick leave in accordance with proposed law.

Proposed law provides that a notice of the employee's rights and employer's obligations must be posted in a conspicuous location at every work site and shall be provided individually to each employee at the commencement of his employment.

Proposed law provides for a civil fine for employer that violates the provisions of proposed law. Proposed law further provides that the fine shall be levied and payable to Louisiana Workforce Commission (LWC) and for an amount not less than \$20 and not more than \$200.

Proposed law requires the LWC to promulgate rules and regulations pursuant to the Administrative Procedure Act in order to carry out the provisions of proposed law.

Effective Jan. 1, 2021.

(Adds R.S. 23:643)