

House Bill 432

By: Representatives Dempsey of the 13th, Manning of the 32nd, Smith of the 129th, McKillip of the 115th, Sims of the 119th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to labor and industrial relations, so as to allow employees to use
3 sick leave for the care of immediate family members; to provide for definitions; to provide
4 for conditions to take leave; to provide that retaliatory actions are unlawful; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to labor and industrial relations, is amended by adding a new Code section
10 to read as follows:

11 "34-1-8.

12 (a) As used in this Code section, the term:

13 (1) 'Employee' means any individual employed by an employer.

14 (2) 'Employer' means any person or entity that employs ten or more individuals and shall
15 include the State of Georgia and its political subdivisions and instrumentalities.

16 (3) 'Immediate family member' includes an employee's child, spouse, or parent.

17 (4) 'Sick leave' means time away from work by an employee for which the employee
18 receives compensation and is limited to sick time. 'Sick leave' does not include paid
19 short-term or long-term disability, catastrophic leave, or similar types of benefits.

20 (b) An employer that provides sick leave shall allow an employee to use such sick leave
21 for the care of an immediate family member.

22 (c) An employee shall not be entitled to use sick leave under this Code section until that
23 leave has been earned. Any employee who uses such sick leave shall comply with the
24 terms of the employer's employee sick leave policy.

25 (d) Nothing in this Code section shall prohibit an employer from taking employment
26 action against an employee for taking leave that is not protected by this Code section or

27 other applicable law; however, an employer may not discharge, demote, suspend,
28 discipline, or otherwise discriminate against an employee or threaten to take any of these
29 actions against an employee who properly exercises rights granted under this Code section.
30 (e) The Department of Labor shall adopt rules to implement and enforce the provisions of
31 this Code section."

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.