

House Bill 290

By: Representatives Dempsey of the 13th, Benton of the 31st, Clark of the 101st, Brockway of the 102nd, Kaiser of the 59th, 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' means 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' shall not include paid
19 short-term or long-term disability, catastrophic leave, or similar types of benefits.

20 (b) Nothing in this Code section shall be construed to require an employer to offer sick
21 leave of any kind; however, an employer that provides sick leave shall allow an employee
22 to use such sick leave for the care of an immediate family member.

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

26 (d) Nothing in this Code section shall prohibit an employer from taking employment
27 action against an employee for taking leave that is not protected by this Code section or
28 other applicable law; however, an employer may not discharge, demote, suspend,
29 discipline, or otherwise discriminate against an employee or threaten to take any of these
30 actions against an employee who properly exercises rights granted under this Code section.
31 (e) The Commissioner of Labor shall promulgate rules and regulations as are necessary
32 to implement and effectuate the provisions of this Code section."

33 **SECTION 2.**

34 All laws and parts of laws in conflict with this Act are repealed.