

HOUSE BILL No. 4898

September 7, 2011, Introduced by Reps. Ananich, Brown, Cavanagh, Rutledge, Hovey-Wright, Olumba, McCann, Kandrevas, Geiss, Howze, Melton, Dillon, Tlaib, Hobbs, Stapleton, Irwin, Darany and Oakes and referred to the Committee on Commerce.

A bill to require employers to provide unpaid leave for employees to attend academic activities of their children; to provide the conditions for granting the leave; and to prohibit discrimination against employees who request or use the leave.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) This act shall be known and may be cited as the
2 "family education leave act".

3 (2) As used in this act:

4 (a) "Academic activity" means a parent-teacher conference,
5 tutoring, or other activity or event related to the educational
6 advancement of a parent's or legal guardian's child.

7 (b) "Academic year" means the period, not to exceed 12
8 consecutive months, allotted by a school for the completion of 1
9 grade level of study.

1 (c) "Employee" does not include an independent contractor, a
2 domestic servant employed in or about a private home, or a farm or
3 ranch laborer.

4 (d) "Employer" means a person, including this state and all
5 political subdivisions of this state, that regularly employs 1 or
6 more full-time employees.

7 Sec. 2. (1) Except as provided in section 4, an employer shall
8 allow each of his or her employees who is a parent or legal
9 guardian of a minor child to request and take unpaid leave, not to
10 exceed 8 hours for each minor child in any academic year, for the
11 purpose of attending an academic activity for or with the minor
12 child.

13 (2) An employer may require that the leave be taken in no
14 longer than 3-hour increments and that the employee provide written
15 verification from the school or school district of the academic
16 activity.

17 Sec. 3. (1) An employee shall provide the employer with notice
18 of the intent to use leave under this act 7 or more days in advance
19 of the academic activity. If the employee cannot provide the notice
20 7 days in advance due to an emergency, the employee shall provide
21 the employer with notice of the intent to use the leave as soon as
22 possible. The notice to the employer shall include the written
23 verification specified in section 2(2), if required by the
24 employer.

25 (2) An employee may elect to substitute accrued paid leave for
26 the unpaid leave provided under this act.

27 (3) An employee shall make reasonable efforts to schedule

1 academic activities for which leave may be taken under this act
2 outside of the employee's regular work hours.

3 Sec. 4. An employer may deny use of leave requested under this
4 act only if granting the leave would disrupt or cause unusual
5 difficulty in the employer's business or endanger the public safety
6 or welfare.

7 Sec. 5. An employer shall not discharge, threaten, or
8 otherwise discriminate against an employee regarding the employee's
9 compensation, terms, conditions, location, or privileges of
10 employment because the employee requests or takes leave under this
11 act.