

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1815

By: Representative Leding

For An Act To Be Entitled

AN ACT TO PERMIT PARENTAL LEAVE DUE TO THE BIRTH,
ADOPTION, OR FOSTER PLACEMENT OF A CHILD; AND FOR
OTHER PURPOSES.

Subtitle

TO PERMIT PARENTAL LEAVE DUE TO THE
BIRTH, ADOPTION, OR FOSTER PLACEMENT OF A
CHILD.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 21-4-203, concerning the definitions used in the Uniform Attendance and Leave Policy Act, is amended to add additional subdivisions to read as follows:

(15) "Child" means a person under one (1) year of age;

(16) "Parental leave" means leave with pay for an employee for the:

(A) Birth of the employee's child;

(B) Adoption of a child by the employee that is by order of a court of competent jurisdiction;

(C) Foster placement of a child with the employee by the Department of Human Services or by order of a court of competent jurisdiction; or

(D) The award of guardianship of a child by a court of competent jurisdiction.

SECTION 2. Arkansas Code § 21-4-207(f)(1), concerning the use of sick



leave by a state employee, is amended to read as follows:

(f)(1) Except in the case of maternity or parental leave, absences due to sick leave shall be charged in the following order:

SECTION 3. Arkansas Code § 21-4-210(c)(1)(A), concerning a state employee's leave of absence without pay, is amended to read as follows:

(c)(1)(A) Except in accordance with § 21-4-212 and in the case of maternity leave under § 21-4-209 or parental leave under § 21-4-217, leave of absence without pay shall not be granted until all of the employee's accumulated annual leave has been exhausted.

SECTION 4. Arkansas Code Title 21, Chapter 4, Subchapter 2, is amended to add an additional section to read as follows:

21-4-217. Parental leave.

(a) As used in this section, "employee" means a person regularly appointed or employed in a position of state service by a governmental entity listed in subdivision (c)(1) of this section for which he or she is compensated on a full-time basis.

(b) An employee may be paid his or her salary in an amount up to seven hundred fifty dollars (\$750) each week for six (6) consecutive weeks of parental leave.

(c) An employee is eligible to obtain parental leave if the employee has:

(1) Been continuously employed for more than one (1) year by the:

(A) Same state agency;

(B) General Assembly;

(C) Bureau of Legislative Research;

(D) Division of Legislative Audit; or

(E) Arkansas State Highway and Transportation Department;

(2) Applied in writing for parental leave; and

(3) Received written approval for parental leave from his or her employer.

(d)(1) If parental leave is granted to an employee under this section, the employee shall use the parental leave before the employee uses the following:

- (A) Maternity leave;
- (B) Earned sick leave;
- (C) Earned annual leave;
- (D) Earned compensatory leave;
- (E) Catastrophic leave; and
- (F) Leave without pay.

(2) An employee eligible for parental leave may choose not to use the parental leave and may use other leave the employee is eligible to use under this subchapter.

(e) Parental leave shall be used concurrently with any maternity leave that is granted under federal or state law.

(f) Parental leave granted for the foster placement or guardianship of a child shall cease if the child is removed from the custody of the employee by the Department of Human Services or by order of a court of competent jurisdiction.