

1 State of Arkansas As Engrossed: H1/19/23 H1/31/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

HOUSE BILL 1006

4

5 By: Representatives Pilkington, Joey Carr, Wing, Milligan, Unger

6 By: Senator K. Hammer

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For An Act To Be Entitled

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AN ACT TO AMEND THE LAW REGARDING EMPLOYMENT; TO

10

REQUIRE CERTAIN EMPLOYERS TO PROVIDE PAID MATERNITY

11

LEAVE; AND FOR OTHER PURPOSES.

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13

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Subtitle

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TO AMEND THE LAW REGARDING EMPLOYMENT;

16

AND TO REQUIRE CERTAIN EMPLOYERS TO

17

PROVIDE PAID MATERNITY LEAVE.

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

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22 SECTION 1. Arkansas Code Title 11, Chapter 5, Subchapter 1, is amended

23 to add an additional section to read as follows:

24 11-5-119. Paid maternity leave.

25 (a) As used in this section:

26 (1)(A) "Covered employer" means any person engaged in commerce

27 or in any industry or activity affecting commerce who employs fifty (50) or

28 more employees for each working day during each of twenty (20) or more

29 calendar workweeks in the current or preceding calendar year.

30 (B) "Covered employer" also includes any:

31 (i) Person acting directly or indirectly in the

32 interest of a covered employer to any of the employees of the employer;

33 (ii) Successor in interest of a covered employer;

34 and

35 (iii) Public agency; and

36 (2) "Eligible employee" means an individual who has been



1 employed with a covered employer:

2 (A) For at least twelve (12) months; and

3 (B) Is classified as a full-time employee.

4 (b)(1) A covered employer that covers abortions or travel expenses
5 related to abortions for employees shall provide twelve (12) weeks of paid
6 maternity leave to eligible employees who are employed in Arkansas.

7 (2) The paid maternity leave required under subdivision (b)(1)
8 of this section shall be paid as:

9 (A) One hundred percent (100%) of the eligible employee's
10 salary; or

11 (B) A twelve (12) week average weekly pay.

12 (c) Eligibility for paid maternity leave under this section is limited
13 to eligible employees who are:

14 (1) Enrolled in the covered employer's health benefit plan; and

15 (2) Birth mothers.

16 (d) The paid maternity leave authorized under this section shall begin
17 immediately following the birth of the eligible employee's child.

18 (e) A covered employer that provides paid maternity leave under this
19 section is not required to submit additional information or recordkeeping to
20 the state regarding the provision of the paid maternity leave to an eligible
21 employee.

22 (f)(1) If a covered employer provides a more generous paid maternity
23 leave benefit, the eligible employee is not limited to the twelve (12) weeks
24 of paid maternity leave provided under this section.

25 (2) An eligible employee shall not be allowed to combine paid
26 maternity leave benefits offered by the covered employer.

27 (g) A covered employer may meet the requirements of this section by
28 combining paid maternity leave with other forms of paid leave at the
29 compensation level associated with the leave in the covered employer's
30 benefits package.

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32 /s/Pilkington
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