

House Bill 698

By: Representatives Frye of the 118th, Beverly of the 143rd, Kendrick of the 93rd, Neal of the 74th, and Wilson of the 80th

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 provide for paid parental
3 leave for employees; to provide for definitions; to provide for eligibility; to provide for terms
4 and conditions; to provide for certain prohibitions; to provide for rules; to provide for related
5 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 "34-1-11.

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

13 (1) 'Employee' means an individual who works for salary, wages, or other remuneration
14 for an employer for at least 120 hours in a calendar month.

15 (2) 'Employer' means any individual or entity that employs one or more employees.
16 Such term shall not include the executive, legislative, or judicial branch of state
17 government or a local board of education.

18 (3) 'Qualifying life event' means:

19 (A) The birth of a child of an employee;

20 (B) The placement of a minor child for adoption with an employee; or

21 (C) The placement of a minor child for foster care with an employee.

22 (b) All employees of an employer shall be eligible for paid parental leave for qualifying
23 life events regardless of whether the employee is eligible for paid or unpaid leave under
24 federal law if the following criteria are met:

25 (1) The employee has been employed by the employer for a total of at least 12 months,
26 whether consecutive or nonconsecutive, over the past seven years; and

27 (2) The employee has worked at least 1,250 hours for the employer in the 12 months
28 immediately preceding the qualifying life event.

29 Such parental leave shall be equally available to all employees.

30 (c) The maximum amount of paid parental leave that may be taken by an employee during
31 a rolling 12 month period is 120 hours, regardless of the number of qualifying life events
32 that occur within such period. The rolling 12 month period shall be measured backward
33 from the date an employee first uses parental leave. Such leave does not have to be used
34 on consecutive days and may be used as needed, provided that such leave usage does not
35 unduly disrupt the operations of the employer. No portion of any such leave that remains
36 12 months after the qualifying life event shall carry over for future use.

37 (d) Unused paid parental leave shall have no cash value at the time of the employee's
38 separation from employment with the employer.

39 (e) Each employer shall promulgate rules for the administration of paid parental leave
40 under this Code section. At a minimum, such rules shall include:

41 (1) Provisions requiring that the paid parental leave under this Code section shall run
42 concurrently with any leave provided under federal law; and
43 (2) Which documentation, if any, is required to be provided by the employee to establish
44 the existence of a qualifying life event.
45 (f) Provided that the use of paid parental leave is not likely to unduly disrupt the
46 employer's operations, no employer shall interfere with, restrain, or deny the exercise of
47 or the attempt to exercise the provisions of this Code section by any employee. No
48 employer shall discharge or in any other manner discriminate or retaliate against any
49 employee for lawfully exercising the provisions of this Code section. Notwithstanding any
50 other provision of this Code section, nothing shall prevent an employer from taking an
51 adverse employment action against an employee who submits a false or fraudulent
52 document or otherwise provides false or fraudulent information in an attempt to obtain paid
53 parental leave under this Code section."

54 **SECTION 2.**

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