

SENATE BILL 16

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 3;
Title 8; Title 16 and Title 50, relative to leave for
state employees.

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

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, Part 8, is amended by
adding the following as a new section:

(a) In addition to leave granted under §§ 8-50-801, 8-50-802, and 8-50-806, an
eligible employee must be granted absence from work with pay:

(1) For a period of time equal to twelve (12) workweeks after the birth of
the employee's newborn child or adoption of a newly placed minor child six (6)
years of age or younger by the employee upon the employee giving a thirty-day
notice to the appropriate appointing authority. If the eligible employee learns of
the birth or adoption less than thirty (30) days in advance, the employee must
give the notice as soon as reasonably possible;

(2) For a period of time equal to one (1) workweek for a serious health
condition of the employee, employee's spouse, employee's child, or employee's
parent upon the employee giving a thirty-day notice and appropriate medical
certification from a healthcare provider to the appropriate appointing authority. If
the eligible employee learns of the need for leave based on a serious health
condition less than thirty (30) days in advance, the employee must give the
notice and medical certification as soon as reasonably possible; and

(3) For a period of time equal to six (6) hours for an employee who is a
parent or caregiver to attend a school-related activity of the employee's child or

the child for whom the employee is a caregiver, upon the employee giving a ten-day notice and appropriate letter or other documentation from the child's teacher or other person responsible for the activity's scheduling to the appropriate appointing authority. If the eligible employee learns of the need for leave based on the school-related activity less than ten (10) days in advance, the employee must give the notice and documentation as soon as reasonably possible.

(b) Leave used by an eligible employee pursuant to this section must not be charged against any sick, annual, or other leave the employee may have accumulated.

(c) Leave granted pursuant to this section must count toward the eligible employee's use of leave required to be given by this state as an employer under the federal Family and Medical Leave Act (29 U.S.C. § 2601 et seq.) and § 4-21-408.

(d) An eligible employee must not be granted paid leave under subsection (a) more than once in a twelve-month period.

(e) As used in this section:

(1) "Caregiver" means the person responsible for providing for the supervision, protection, and basic needs of a child;

(2) "Eligible employee" means an employee who has been employed full-time with the state for at least twelve (12) consecutive months with an entity described in § 8-30-102(a); § 8-30-102(b)(1)-(7), including administrative boards and commissions attached to such entities; and § 8-30-102(b)(10)-(13);

(3) "School-related activity" means all extracurricular or other school activities or events as to which parental or caregiver participation or observation is required or would be appropriate, including parent-teacher conferences, required parent volunteer hours, and athletic events; and

(4) "Serious health condition" means:

(A) A condition requiring an overnight stay in a hospital or other medical care facility;

(B) A condition that incapacitates a person for more than three (3) consecutive days and requires ongoing medical treatment;

(C) A chronic condition that causes occasional periods when a person is incapacitated and requires treatment by a healthcare provider at least four (4) times a year; and

(D) Pregnancy.

(f) The department of human resources shall establish policies for implementing this section with regard to executive branch agencies. With regard to nonexecutive branch agencies, the equivalent of the agency's human resources office shall establish policies for implementing this section as appropriate.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to each eligible employee who qualifies for leave under this act on or after July 1, 2023.