JAN 2 4 2007

## A BILL FOR AN ACT

RELATING TO FAMILY LEAVE.

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The legislature finds that various companies 2 are arbitrarily exhausting an employee's accrued vacation time
- 3 while the employee is out on family leave, as current law allows
- 4 either the employer or employee to decide which type of leave to
- 5 apply to a period of family leave. The legislature further
- 6 finds that it should be only the employee who should make the
- 7 decision to take family leave as unpaid leave or to substitute
- 8 the unpaid leave with accrued vacation, personal, or paid family
- 9 leave.
- 10 The purpose of this Act is to provide an employee with the
- 11 option to substitute accrued paid leave, including vacation,
- 12 personal, or family leave, for any part of the four-week period
- 13 allowed for family leave.
- 14 SECTION 2. Section 398-4, Hawaii Revised Statutes, is
- 15 amended by amending subsection (b) to read as follows:
- 16 "(b) Except as otherwise provided in subsection (c), an
- 17 employee [or employer] may elect to substitute any of the

- 1 employee's accrued paid leaves, including but not limited to
- 2 vacation, personal, or family leave for any part of the four-
- 3 week period in subsection (a)."
- 4 SECTION 3. Statutory material to be repealed is bracketed
- 5 and stricken.

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6 SECTION 4. This Act shall take effect upon its approval.

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## Report Title:

Family Leave; Accrued Paid Leave

## Description:

Allows an employee to elect to use accrued paid leave, including vacation, personal, or family leave, for any part of the four-week period of family leave provided under the law.