

JAN 21 2011

A BILL FOR AN ACT

RELATING TO FAMILY LEAVE.

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

1 SECTION 1. Section 398-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) An employee shall be entitled to a total of four
4 weeks of family leave during any calendar year [~~upon the birth
5 of a child of the employee or the adoption of a child, or to
6 care for the employee's child, spouse or reciprocal beneficiary,
7 or parent with a serious health condition.~~]:

8 (1) Upon the birth or adoption of a child of the employee;

9 (2) To care for the employee's child, spouse, reciprocal
10 beneficiary, or parent, with a serious health
11 condition; or

12 (3) Upon the occurrence of any qualifying exigency (as
13 defined by Title 29 Code of Federal Regulations
14 Section 825.126) arising out of the fact that the
15 spouse, reciprocal beneficiary, child, or parent of
16 the employee is on active duty, or has been notified
17 of an impending call or order to active duty, in the



1 armed forces of the United States in support of a
2 contingency operation."

3 SECTION 2. The director of labor and industrial relations
4 shall adopt rules in consultation with the department of defense
5 in accordance with chapter 91, Hawaii Revised Statutes, to
6 implement section 398-3(a)(3), Hawaii Revised Statutes.

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on December 21,
10 2012.

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Report Title:

Family leave; Military deployment

Description:

Allows an employee with a family member in the U.S. armed forces who is on active duty or notified of a call to active duty, to use family leave for certain activities for which an employee may take military family leave under federal law.

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