
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 of
5 a child of the employee or the adoption of a child, or to care
6 for the employee's child, spouse or reciprocal beneficiary,
7 sibling, or parent with a serious health condition[-], or upon
8 the death of the employee's child, spouse, reciprocal
9 beneficiary, sibling, or parent."

10 SECTION 2. Section 398-5, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§398-5 Notice.** In any case in which the necessity for
13 family leave for purposes of birth or adoption of a child or
14 providing care to a child, spouse, reciprocal beneficiary,
15 sibling, or parent is foreseeable, the employee shall provide
16 the employer with prior notice of the expected birth or adoption
17 or serious health condition in a manner that is reasonable and



1 practicable. Requests for family leave shall include evidence
2 that the employee has submitted the request and provided
3 required data in accordance with section 398-9.5."

4 SECTION 3. Section 398-6, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§398-6 Certification. (a) An employer may require that
7 a claim for family leave be supported by written certification.

8 (b) For the birth of a child, certification shall be
9 issued by a health care provider or the family court. For the
10 placement of a child for adoption with the employee,
11 certification shall be issued by a recognized adoption agency,
12 the attorney handling the adoption, or by the individual
13 officially designated by the birth parent to select and approve
14 the adoptive family.

15 (c) When leave is to care for a child, spouse, reciprocal
16 beneficiary, sibling, or parent who has a serious health
17 condition, certification shall be issued by the health care
18 provider of the individual requiring care. Certification shall
19 be considered sufficient if it provides information as required
20 by the director.



1 (d) When leave is for the death of a child, spouse,
2 reciprocal beneficiary, sibling, or parent, certification shall
3 be a death certificate issued by the department of health or by
4 an official or agency of the place where the death occurred."

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect upon its approval.

8

INTRODUCED BY:

Stanford
D. L. Holt
Bill Kruttschnitt
[Signature]

JAN 19 2017



H.B. NO. 213

Report Title:

Family Leave; Sibling; Death

Description:

Permits an employee to take family leave in order to care for the employee's sibling with a serious health condition or upon the death of an employee's child, spouse, reciprocal beneficiary, sibling, or parent. Specifies notice and certification requirements.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

