

HOUSE BILL No. 5788

July 13, 2016, Introduced by Rep. Driskell and referred to the Committee on Commerce and Trade.

A bill to require employers to provide unpaid leave for employees to attend academic activities of their children; to provide the conditions for granting the leave; and to prohibit discrimination against employees who request or use the leave.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) This act shall be known and may be cited as the
2 "family education leave act".

3 (2) As used in this act:

4 (a) "Academic activity" means a parent-teacher conference,
5 tutoring, or other activity or event related to the educational
6 advancement of a parent's or legal guardian's child.

7 (b) "Academic year" means the period, not to exceed 12
8 consecutive months, allotted by a school for the completion of 1

1 grade level of study.

2 (c) "Employee" does not include an independent contractor, a
3 domestic servant employed in or about a private home, or a farm or
4 ranch laborer.

5 (d) "Employer" means a person, including this state and all
6 political subdivisions of this state, that regularly employs 1 or
7 more full-time employees.

8 Sec. 2. (1) Except as provided in section 4, an employer shall
9 allow each of his or her employees who is a parent or legal
10 guardian of a minor child to request and take unpaid leave, not to
11 exceed 8 hours for each minor child in any academic year, for the
12 purpose of attending academic activities for or with the minor
13 child.

14 (2) An employer may require that the leave be taken in no
15 longer than 3-hour increments and that the employee provide written
16 verification from the school or school district of the academic
17 activity.

18 Sec. 3. (1) An employee shall provide the employer with notice
19 of the intent to use leave under this act 7 or more days in advance
20 of the academic activity. If the employee cannot provide the notice
21 7 days in advance due to an emergency, the employee shall provide
22 the employer with notice of the intent to use the leave as soon as
23 possible. The notice to the employer shall include the written
24 verification specified in section 2(2), if required by the
25 employer.

26 (2) An employee may elect to substitute accrued paid leave for
27 the unpaid leave provided under this act.

1 (3) An employee shall make reasonable efforts to schedule
2 academic activities for which leave may be taken under this act
3 outside of the employee's regular work hours.

4 Sec. 4. An employer may deny use of leave requested under this
5 act only if granting the leave would disrupt or cause unusual
6 difficulty in the employer's business or endanger the public safety
7 or welfare.

8 Sec. 5. An employer shall not discharge, threaten, or
9 otherwise discriminate against an employee regarding the employee's
10 compensation, terms, conditions, location, or privileges of
11 employment because the employee requests or takes leave under this
12 act.

13 Enacting section 1. This act takes effect 90 days after the
14 date it is enacted into law.