

# HOUSE BILL No. 5247

November 9, 2017, Introduced by Reps. Pagan, Geiss, Hoadley, Green, Yanez, Wittenberg, Faris, Guerra, Camilleri, Gay-Dagnogo, Brinks, Zemke, Chang, Durhal, Rabhi, Clemente, Hertel, Lasinski, Greig, Santana and Garrett and referred to the Committee on Commerce and Trade.

A bill to require employers to permit use of sick leave to address issues arising from sexual assault, domestic violence, or stalking; and to provide remedies.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

3           (2) As used in this act:

4           (a) "Domestic violence" means the occurrence of any of the  
5 following acts by a person that is not an act of self-defense:

6           (i) Causing or attempting to cause physical or mental harm to  
7 a family or household member.

8           (ii) Placing a family or household member in fear of physical

1 or mental harm.

2 (iii) Causing or attempting to cause a family or household  
3 member to engage in involuntary sexual activity by force, threat of  
4 force, or duress.

5 (iv) Engaging in activity toward a family or household member  
6 that would cause a reasonable person to feel terrorized,  
7 frightened, intimidated, threatened, harassed, or molested.

8 (b) "Sexual assault" means a violation of sections 520a to  
9 520l of the Michigan penal code, 1931 PA 328, MCL 750.520a to  
10 750.520l.

11 (c) "Stalking" means that term as defined in section 411h or  
12 411i of the Michigan penal code, 1931 PA 328, MCL 750.411h and  
13 750.411i.

14 (3) An employer who offers sick leave as a fringe benefit to  
15 any of the employer's employees shall permit use of the sick leave  
16 for the purpose of providing or receiving assistance to address  
17 issues arising from sexual assault, domestic violence, or stalking  
18 that is perpetrated against the employee, a family member of the  
19 employee, or a member of the employee's household.

20 (4) An employee may bring a civil action for damages or  
21 equitable relief to enforce this act.

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