

March 19, 2015

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1387

Page 1, line 1, after "to" insert "create and enact section 54-06-14.5 of the North Dakota Century Code, relating to state employee use of sick leave and annual leave; and to"

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, after "54-21-18" insert "and 54-52.4-03"

Page 1, line 2, after "for" insert "pregnant employees and"

Page 1, line 2, after "infants" insert "and state employee use of sick leave"

Page 1, after line 3 insert:

"SECTION 1. Section 54-06-14.5 of the North Dakota Century Code is created and enacted as follows:

54-06-14.5. Use of sick leave and annual leave - Birth or adoption - Family leave priority.

1. During the first six weeks following birth or placement, an employer shall grant an employee's request to use up to one hundred sixty hours of sick leave under section 54-06-14 to care for the employee's newborn child or to care for a child placed with the employee, by a child-placing agency licensed under chapter 50-12, for adoption or placed with the employee as a precondition to adoption under section 14-15-12, but not both. The employer shall compensate the employee for leave used by the employee under this subsection on the same basis as the employee would be compensated if the leave had been taken due to the employee's illness, medical needs, or health needs. This subsection does not prevent an employee from using sick leave for the employee's illness, medical needs, or health needs following the birth of a child or from using leave under section 54-52.4-03.
2. If an employee requests to use annual leave under section 54-06-14 for any of the reasons identified under subsection 1 of section 54-52.4-02, the employer shall give priority to the request."

Page 1, line 7, after "**for**" insert "**pregnant employees and**"

Page 2, replace lines 3 through 9 with:

- "3. The office of management and budget shall provide to a state employee a temporary permit or some other means that allow that employee to park on the capitol grounds in any parking area in which a member of the public is allowed to park, if the state employee is pregnant and employed by a state agency housed on the capitol grounds or if the state employee is allowed by a state agency housed on the capitol grounds to bring an infant to work. This subsection does not authorize a state employee to park in an emergency or fire zone, in parking for the mobility impaired, or in a zone for which another permit is required. The special parking authorized under

this subsection expires when the employee is no longer pregnant or no longer authorized to bring an infant to work.

SECTION 3. AMENDMENT. Section 54-52.4-03 of the North Dakota Century Code is amended and reenacted as follows:

54-52.4-03. Use of other available leave for care of parent, spouse, or child.

An employer that provides leave for its employees for illnesses or other medical or health reasons shall grant an employee's request to use that leave to care for the employee's child, spouse, or parent if the child, spouse, or parent has a serious health condition. An employee may take ~~eightyfour hundred eighty~~ hours of leave under this section in any twelve-month period and, ~~upon approval of the employee's supervisor and pursuant to rules adopted by the director of the office of management and budget,~~ the employee may take, in any twelve-month period, up to an additional ten percent of the employee's accrued sick leave to care for the employee's child, spouse, or parent if the child, spouse, or parent has a serious health condition. The employer shall compensate the employee for leave used by the employee under this section on the same basis as the employee would be compensated if the leave had been taken due to the employee's own illness."

Renumber accordingly