



Maryland Chamber of Commerce

**SB 562
FAVOR
Finance
Committee
02/19/09**

Legislative Position

SB 562

Labor and Employment - Flexible Leave

Brief Summary of Bill:

SB 562 clarifies specific sections of the Flexible Leave Act, which requires an employer with 15 or more employees to allow employees to use any type of accrued leave to care for an ill family member. This bill would provide detailed definitions of key terms, and clarifying language regarding certain clauses and provisions that were not clearly expressed in the Flexible Leave Act.

Maryland Chamber's Position:

The Maryland Chamber of Commerce strongly supports SB 562. The General Assembly passed the Flexible Leave Act in 2008. This new law requires employers with 15 or more employees to allow employees to use any type of accrued leave to care for an ill family member.

Following passage, Maryland Chamber members expressed concerns about how to implement the law. Many of the key terms within the law were vague and broadly defined, which created confusion for those responsible for putting proper procedures in place.

During the interim, the Maryland Chamber, along with other business groups, worked to develop legislation to clarify key terms and address the vagueness and broad scope of the original law. Jobs Opportunities Task Force (JOTF) also provided valuable input and consideration of the legislation during the drafting period. We are pleased that Sen. Rob Garagiola, the sponsor of the original bill, has introduced this clarifying bill. We are also pleased that the business community and the original advocacy groups for the Flexible Leave Act are able to speak in one unified voice of support for SB 562.

This legislation would:

- Provide specific definitions of key terms including, child, parent, employee, employer, and leave with pay.
- Provide a leave parity provision, which provides that the employee use leave to care of a family member under the same conditions and policy rules that would apply for the employee's own illness.
- Clarify the anti-retaliation provision to specify that an employer may not discharge, demote, suspend, discipline, etc. an employee because the employee has taken leave under the Flexible Leave Act.

For these reasons, the Maryland Chamber respectfully requests that the Committee give SB 562 a favorable report.

If questions please contact Allyson Black, ablack@mdchamber.org