

2SSB 5069 - S AMD 352

By Senator Honeyford

NOT ADOPTED 03/15/2005

1 On page 2, beginning on line 6, after "(1)" strike all material  
2 through "(2)" on line 13

3 On page 2, beginning on line 24, after "(6)" strike all material  
4 through "50.04.100" on line 26, and insert the following:

5 "(a) "Individual" means an employee who has been employed:

6 (i) For at least twelve months by the employer with respect to whom  
7 leave is requested under 29 U.S.C. 2612; and

8 (ii) For at least one thousand two hundred fifty hours of service  
9 with the employer during the previous twelve-month period.

10 (b) "Employee" does not include:

11 (i) Any federal officer or employee covered under subchapter V of  
12 chapter 63 of title 5, United States Code (5 U.S.C. 6381 et seq.); or

13 (ii) Any employee of an employer who is employed at a worksite at  
14 which such employer employs less than fifty employees if the total  
15 number of employees employed by that employer within seventy-five miles  
16 of that worksite is less than fifty.

17 (c) For purposes of determining whether an employee meets the hours  
18 of service requirement specified in (a)(ii) of this subsection, the  
19 legal standards established under 29 U.S.C. 207 apply.

20 (7) "Employer" means any person engaged in commerce or in any  
21 industry or activity affecting commerce who employs fifty or more  
22 employees for each working day during each of twenty or more calendar  
23 workweeks in the current or preceding calendar year and includes:

24 (a) Any person who acts, directly or indirectly, in the interest of  
25 an employer to any of the employees of such employer;

26 (b) Any successor in interest of an employer; and

27 (c) Any "public agency" as defined in 29 U.S.C. 203(x)."

28 Renumber the remaining subsections consecutively and correct any  
29 internal references accordingly.

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1 On page 3, beginning on line 12, after "(14)" strike all material  
2 through "(15)" on line 16

3 Renumber the remaining subsection consecutively and correct any  
4 internal references accordingly.

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5 On page 5, beginning on line 5, after "(2)" strike all material  
6 through "(3)" on line 7

7 Renumber the remaining subsections consecutively and correct any  
8 internal references accordingly.

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9 Beginning on page 9, line 13, strike all of section 10

10 Renumber the remaining sections consecutively and correct any  
11 internal references accordingly.

EFFECT: The requirements for eligibility for the state family leave program are the same as those for the federal family and medical leave act.

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