

SENATE BILL 58

K3

5lr0827

(PRE-FILED)

By: **Senator Benson**

Requested: September 13, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Parental School Engagement Leave Act**

3 FOR the purpose of requiring certain employers to provide certain employees with parental
4 school engagement leave to attend meetings and conferences relating to the
5 schooling of the employee's child; requiring the State Superintendent of Schools and
6 the Commissioner of Labor to provide notice of certain requirements of this Act and
7 develop and make available a document that may be used to validate an employee's
8 use of parental school engagement leave; and generally relating to parental school
9 engagement leave.

10 BY adding to

11 Article – Labor and Employment

12 Section 3–1801 through 3–1805 to be under the new subtitle “Subtitle 18. Parental
13 School Engagement Leave Act”

14 Annotated Code of Maryland

15 (2016 Replacement Volume and 2024 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Labor and Employment**

19 **SUBTITLE 18. PARENTAL SCHOOL ENGAGEMENT LEAVE ACT.**

20 **3–1801.**

21 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(B) "CHILD" MEANS A BIOLOGICAL CHILD, AN ADOPTED CHILD, A FOSTER CHILD, A STEPCHILD, OR A LEGAL WARD OF AN EMPLOYEE WHO IS ENROLLED IN A SCHOOL.

(C) (1) "EMPLOYER" MEANS A PERSON THAT EMPLOYS AT LEAST 50 INDIVIDUALS IN THE STATE.

(2) "EMPLOYER" INCLUDES A UNIT OF STATE OR LOCAL GOVERNMENT.

(D) "PARENTAL SCHOOL ENGAGEMENT LEAVE" MEANS LEAVE AWAY FROM WORK THAT IS PROVIDED BY AN EMPLOYER UNDER § 3-1803 OF THIS SUBTITLE.

(E) "SCHOOL" MEANS AN ELEMENTARY OR A SECONDARY PUBLIC OR NONPUBLIC SCHOOL THAT IS LOCATED IN THE STATE OR A STATE THAT SHARES A COMMON BOUNDARY WITH THE STATE.

(F) "SCHOOL ADMINISTRATOR" MEANS THE PRINCIPAL OR A SIMILAR ADMINISTRATOR WHO IS RESPONSIBLE FOR THE OPERATIONS OF A SCHOOL.

3-1802.

THIS SUBTITLE MAY NOT BE CONSTRUED TO LIMIT OR OTHERWISE AFFECT ANY OTHER LAW, EMPLOYER POLICY, OR COLLECTIVE BARGAINING AGREEMENT THAT PROVIDES FOR PARENTAL SCHOOL ENGAGEMENT LEAVE BENEFITS THAT ARE MORE GENEROUS THAN REQUIRED UNDER THIS SUBTITLE.

3-1803.

(A) AN EMPLOYER SHALL PROVIDE AN EMPLOYEE WITH AT LEAST 12 HOURS OF PAID PARENTAL SCHOOL ENGAGEMENT LEAVE EACH SCHOOL YEAR IF THE EMPLOYEE:

(1) HAS BEEN EMPLOYED BY THE EMPLOYER FOR AT LEAST 6 CONSECUTIVE MONTHS; AND

(2) HAS WORKED AN AVERAGE NUMBER OF HOURS PER WEEK IN A POSITION EQUAL TO AT LEAST 50% OF THE FULL-TIME EQUIVALENT AMOUNT REQUIRED FOR THE POSITION, IN ACCORDANCE WITH THE EMPLOYER'S POLICY OR PRACTICES OR A COLLECTIVE BARGAINING AGREEMENT.

(B) (1) AN EMPLOYEE MAY USE PARENTAL SCHOOL ENGAGEMENT LEAVE TO ATTEND SCHOOL MEETINGS AND CONFERENCES FOR THE EMPLOYEE'S CHILD.

(2) PARENTAL SCHOOL ENGAGEMENT LEAVE SHALL BE:

(I) PAID AT THE REGULAR RATE OF PAY EARNED BY THE EMPLOYEE; AND

(II) SEPARATE FROM ANY OTHER LEAVE BENEFITS PROVIDED BY THE EMPLOYER.

(3) AN EMPLOYER MAY NOT REQUIRE AN EMPLOYEE TO EXHAUST ANY OTHER LEAVE BENEFITS BEFORE USING PARENTAL SCHOOL ENGAGEMENT LEAVE.

(4) AN EMPLOYER IS NOT REQUIRED TO PAY OUT ON THE TERMINATION OF EMPLOYMENT UNUSED PARENTAL SCHOOL ENGAGEMENT LEAVE.

(5) AN EMPLOYER MAY NOT BE REQUIRED TO ALLOW AN EMPLOYEE TO USE MORE THAN 4 HOURS OF PARENTAL SCHOOL ENGAGEMENT LEAVE AT A TIME.

(6) AN EMPLOYEE MAY NOT CARRY OVER UNUSED PARENTAL SCHOOL ENGAGEMENT LEAVE TO THE FOLLOWING SCHOOL YEAR.

(C) (1) IF THE NEED TO USE PARENTAL SCHOOL ENGAGEMENT LEAVE IS FORESEEABLE, AN EMPLOYEE SHALL PROVIDE TO THE EMPLOYER A WRITTEN REQUEST TO TAKE THE PARENTAL SCHOOL ENGAGEMENT LEAVE AT LEAST 4 CALENDAR DAYS BEFORE THE DATE OF THE SCHOOL MEETING OR CONFERENCE.

(2) IF THE NEED TO USE PARENTAL SCHOOL ENGAGEMENT LEAVE IS UNFORESEEABLE, AN EMPLOYEE SHALL:

(I) PROVIDE NOTICE TO AN EMPLOYER AS SOON AS PRACTICABLE; AND

(II) GENERALLY COMPLY WITH THE EMPLOYER'S NOTICE OR PROCEDURAL REQUIREMENTS FOR REQUESTING OR REPORTING OTHER LEAVE, IF THOSE REQUIREMENTS DO NOT INTERFERE WITH THE EMPLOYEE'S ABILITY TO USE PARENTAL SCHOOL ENGAGEMENT LEAVE.

(3) AN EMPLOYER MAY DENY A REQUEST TO USE PARENTAL SCHOOL ENGAGEMENT LEAVE IF:

(I) 1. AN EMPLOYEE FAILS TO PROVIDE THE NOTICE REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

1 **2. THE EMPLOYEE'S ABSENCE WILL CAUSE A**
2 **DISRUPTION TO THE EMPLOYER; OR**

3 **(II) GRANTING THE LEAVE REQUEST WOULD CAUSE MORE THAN**
4 **5% OF THE EMPLOYER'S TOTAL WORKFORCE OR WORKFORCE SHIFT, WHICHEVER IS**
5 **APPLICABLE, TO TAKE PARENTAL SCHOOL ENGAGEMENT LEAVE AT THE SAME TIME.**

6 **(D) (1) ON REQUEST BY AN EMPLOYEE WHO USES PARENTAL SCHOOL**
7 **ENGAGEMENT LEAVE TO ATTEND A SCHOOL MEETING OR CONFERENCE, A SCHOOL**
8 **ADMINISTRATOR SHALL PROVIDE TO THE EMPLOYEE DOCUMENTATION THAT**
9 **INDICATES THE EXACT TIME AND DATE OF THE MEETING OR CONFERENCE.**

10 **(2) TO BE CONSIDERED A VALID USE OF PARENTAL SCHOOL**
11 **ENGAGEMENT LEAVE THAT IS NOT SUBJECT TO ADVERSE ACTION UNDER AN**
12 **EMPLOYER POLICY, AN EMPLOYEE SHALL SUBMIT TO THE EMPLOYER THE**
13 **DOCUMENTATION OBTAINED UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHIN**
14 **2 BUSINESS DAYS AFTER THE MEETING OR CONFERENCE OCCURS.**

15 **(3) THE STATE SUPERINTENDENT OF SCHOOLS AND THE**
16 **COMMISSIONER JOINTLY SHALL DEVELOP AND MAKE AVAILABLE A MODEL**
17 **DOCUMENT THAT MAY BE USED TO SATISFY THE REQUIREMENTS OF THIS**
18 **SUBSECTION.**

19 **3-1804.**

20 **IF AN EMPLOYER FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS**
21 **SUBTITLE, THE COMMISSION MAY ASSESS THE EMPLOYER A CIVIL PENALTY NOT**
22 **EXCEEDING \$100 FOR EACH EMPLOYEE WITH RESPECT TO WHICH THE EMPLOYER IS**
23 **NOT IN COMPLIANCE WITH THIS SUBTITLE.**

24 **3-1805.**

25 **(A) FOR SCHOOLS LOCATED IN THE STATE, THE STATE SUPERINTENDENT**
26 **OF SCHOOLS SHALL NOTIFY THE SCHOOL ADMINISTRATORS, PARENTS, AND**
27 **GUARDIANS OF THE REQUIREMENTS OF THIS SUBTITLE.**

28 **(B) THE COMMISSIONER SHALL:**

29 **(1) NOTIFY EMPLOYERS OF THE REQUIREMENTS OF THIS SUBTITLE;**
30 **AND**

31 **(2) ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2025.