

Bill Summary
1st Session of the 60th Legislature

Bill No.:	SB 277
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Author:	Sen. Dossett
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Bill Analysis

SB 277 creates the Oklahoma State Paid Family and Medical Leave Insurance Act. The measure provides that individuals who earned an amount determined each year by the Department of Labor from work in the state during the person's base period or alternative base period prior to submitting an application and certain self-employed persons shall have the right to take paid family and medical leave and to receive family and medical leave insurance benefits. Such leave may be taken to care for a newly born child in the family, care for a family member with a serious condition, has a serious health condition, has qualifying exigency leave, has a need for safe leave, or has a reason outlined in the Family and Medical Leave Act of 1993.

The minimum amount of leave such a person may take is set at 12 weeks for a serious medical conditions. A person taking leave for any other reason listed in the measure shall not take leave in excess of 12 weeks. Benefits shall not be payable to individuals until they accumulate at least 4 hours of family and medical leave. Covered individuals with multiple jobs may elect to take leave from 1 or both jobs. Additionally, such individuals may elect to take intermittent leave. Any individual who exercises his or her right to leave shall be restored by his or her employer to the position held by the covered individual. Leave taken under the provisions of this measure shall not use any accrued vacation leave, sick leave, or other paid time off, but an employee may elect to use such leave if needed.

Employers shall be required to contribute to the Family and Medical Leave Insurance Fund, which shall provide payroll to individuals electing to take family and medical leave. The Department of Labor shall annually set the contribution rate. Employers may deduct a percentage of the employee's wages to contribute to the fund. Employers shall also be required to notify employees of their right to take family and medical leave and the procedure for claiming such leave. Employers who violate the provisions of this measure shall be subject to a \$100.00-\$500.00 fine per day per employee for each violation. The measure directs the Commissioner of Labor to establish a system for an aggrieved individual to appeal any determination of his or her claim for family and medical leave insurance benefits within 90 days of receiving the determination. Covered individuals may be disqualified from taking family or medical leave for up to 1 year if it is found that they made a false statement or misrepresentation regarding a material fact, or willfully and knowingly failed to report a material fact, to obtain benefits.

The measure directs the Department to submit an annual report to the Legislature detailing the criteria outlined in the measure.

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