



“Healthy Families Act” (Senator Kennedy/Rep. Rosa DeLauro)

Eligible Employee

- ⊕ Employees who work at least 20 hours per week or 1000 hours annually.

Covered Employer

- ⊕ All employers (public and private) with at least 15 employees.

Specifics of Benefit

- ⊕ 7 days of paid sick leave a year for full-time employees and a pro-rata amount for part-time employees.
- ⊕ Employees who request at least 3 consecutive days of leave may be required to obtain certification from a doctor.

Paid Sick Leave Can Be Used:

- ⊕ To care for your own illness or physical or mental condition.
- ⊕ To obtain a medical diagnosis or related treatment or to obtain preventive care (i.e., routine medical reasons).
- ⊕ To care for a family member for any of the above reasons.

Employer Requirements:

- ⊕ Employers must post notice of the availability of paid sick leave and how to file an enforcement action.
- ⊕ Employers may not prevent, interfere with or deny the exercise of (or the attempt to exercise) the employee’s right to paid sick leave. They also may not discriminate against an employee for taking or requesting leave.
- ⊕ Employers must make, keep and preserve records regarding compliance with the Act.

Confidentiality and Nondisclosure:

- ⊕ Employers must keep health information confidential and separate from personnel files.

Current Leave Policies:

- ⊕ An employer who already provides comparable or better paid leave will not have to modify its benefit plans.

Enforcement

- ⊕ Secretary of Labor has investigative and subpoena authority (similar to authority under the Fair Labor Standards Act).
- ⊕ An employee or the Secretary of Labor may bring civil action in federal or state court to recover damages or equitable relief.

Greater Leave

- ⊕ Expressly preserves state or local laws providing greater paid sick leave benefits and encourages employers to provide greater leave benefits.

GAO Study

- ⊕ Requires a GAO study of use of paid sick leave and the benefits and costs to employers of providing paid leave.