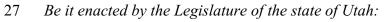
1	FAMILY MEDICAL UNPAID LEAVE PROVISIONS
2	2020 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Daniel Hemmert
5	House Sponsor:
6	
7	LONG TITLE
8	General Description:
9	This bill enacts provisions related to unpaid family and medical leave.
10	Highlighted Provisions:
11	This bill:
12	defines terms;
13	 provides that a state-eligible employer is subject to certain provisions of the Family
14	and Medical Leave Act; and
15	 addresses enforcement of the provisions of this bill.
16	Money Appropriated in this Bill:
17	None
18	Other Special Clauses:
19	None
20	Utah Code Sections Affected:
21	ENACTS:
22	34-56-101 , Utah Code Annotated 1953
23	34-56-102 , Utah Code Annotated 1953
24	34-56-201 , Utah Code Annotated 1953
25	34-56-301 , Utah Code Annotated 1953
26	





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28	Section 1. Section 34-56-101 is enacted to read:
29	CHAPTER 56. FAMILY AND MEDICAL UNPAID LEAVE PROVISIONS
30	Part 1. General Provisions
31	34-56-101. Title.
32	This chapter is known as "Family and Medical Unpaid Leave Provisions."
33	Section 2. Section 34-56-102 is enacted to read:
34	34-56-102. Definitions.
35	As used in this chapter:
36	(1) "Eligible employee" means the same as that term is defined in 29 U.S.C. Sec. 2611.
37	(2) "FMLA" means the Family and Medical Leave Act, 29 U.S.C. Sec. 2601, et seq.
38	(3) "Unpaid leave" means the type of leave to which an eligible employee is entitled
39	under the FMLA.
40	(4) (a) "State-eligible employer" means a public or private person who employs at least
41	30 and fewer than 50 employees in the state for each working day during each of 20 or more
42	calendar work weeks in the current or preceding calendar year.
43	(b) "State-eligible employer" includes:
44	(i) a person who acts, directly or indirectly, in the interest of a person described in
45	Subsection (4)(a) to an employee of the person described in Subsection (4)(a); and
46	(ii) any successor in interest of a person described in Subsection (4)(a).
47	Section 3. Section 34-56-201 is enacted to read:
48	Part 2. Applicability of the Family and Medical Leave Act
49	34-56-201. State-eligible employers.
50	(1) Except as provided in Subsection (2), the provisions of the FMLA apply to each
51	state-eligible employer as if the state-eligible employer were an employer as defined in 29
52	<u>U.S.C. Sec. 2611.</u>
53	(2) Each eligible employee of a state-eligible employer is entitled to three workweeks
54	of unpaid leave during any 12-month period.
55	Section 4. Section 34-56-301 is enacted to read:
56	Part 3. Enforcement
57	34-56-301. Right to damages or equitable relief.
58	An eligible employee may recover damages or equitable relief in any state court of

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59 competent jurisdiction against a state-eligible employer for a violation of this chapter.