

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 285

By: Dossett

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5
6 AS INTRODUCED

7 An Act relating to employee leave time; requiring
8 bereavement leave time for certain employers and
9 employees upon certain date; providing certain cap of
10 leave time; requiring leave time to be taken by
11 certain date; providing definition; stating
12 bereavement leave time as no limitation on other
13 lawful entitled leave; requiring documentation;
14 requiring certain qualifications; providing for
15 codification; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 209.1 of Title 40, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Notwithstanding any other leave allowed by state or federal
21 law, beginning on or after January 1, 2020, employers with a minimum
22 of fifty (50) employees and having any employee employed a minimum
23 of thirty-two (32) hours per week shall grant to those employees up
24 to five (5) days of paid bereavement leave to deal with the death of
25 a family member by:

1 1. Attending the funeral or an alternative to a funeral of the
2 family member;

3 2. Making arrangements necessitated by the death of the family
4 member; or

5 3. Grieving the death of the family member.

6 No employer shall be required to exceed a maximum of ten (10)
7 days in a calendar year per full-time employee making bereavement
8 requests. Leave granted by this section shall be completed within
9 sixty (60) days of the date on which the employee received notice of
10 the death of a family member.

11 B. For purposes of this act, the term "family member" means
12 spouse, children, parents, brothers, sisters (including step, grand,
13 half and foster) or in-law relationships and includes a death as a
14 result of miscarriage or stillbirth.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 209.2 of Title 40, unless there
17 is created a duplication in numbering, reads as follows:

18 A. The provisions of this act do not limit any right of an
19 employee to take any leave pursuant to the Federal Medical Leave Act
20 or to any leave that is similar to the leave described in Section 1
21 of this act and to which the employee may be entitled under any
22 agreement between the employer and the employee, collective
23 bargaining agreement or employer policy. The provisions of this act
24 shall be construed to the extent possible in a manner that is

1 consistent with any similar provisions of the federal Family and
2 Medical Leave Act of 1993.

3 B. An employee claiming leave pursuant to this act shall submit
4 written documentation to the employer on a form developed by the
5 employer. An employee becomes eligible to receive bereavement leave
6 after being employed at least thirty-two (32) hours per week for six
7 (6) consecutive months.

8 SECTION 3. This act shall become effective November 1, 2019.

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