



theHRBenefitsAuthority

| Employee Benefits | Executive Compensation | ERISA Litigation |
| Employment Counseling | Employment Litigation | Employee Communications |

February 4, 2014

New Paid Leave Requirements in 2014

In the past, employers have focused on complying with unpaid leave requirements under the Family Medical Leave Act (“FMLA”) and under the laws of a handful of states. Recently, cities and states across the country have started passing paid leave laws that impact employees’ leave entitlement. In total, more than 20 states have laws that provide varying degrees of protection and entitlement to leave.

Example of State Mandated Paid Leave – Jersey City’s Sick Leave Ordinance. Over the past few years, several states and municipalities, including Connecticut, San Francisco and Rhode Island, have started requiring paid leave in certain circumstances. Jersey City’s new sick leave ordinance is the most recent example. Effective January 24, 2014, covered employers must provide up to 40 hours of paid sick leave to covered employees for an injury, illness or public health emergency affecting an employee or family member. Employers who violate the law are subject to a \$1,250 fine and community service, and they may be sued by individual employees.

Example of Broadened Definition of “Family” – Oregon’s Family Leave Act. In addition to requiring that employers pay for certain leave, some cities and states are broadening the scope of who qualifies as a family member and the purposes of leave entitlement. For example, under the Oregon Family Leave Act, covered employers are required to provide up to 2 weeks of paid leave related to the death of a covered employee’s family member. In addition to an employee’s spouse, children and parents who qualify under the FMLA, family members in Oregon also include same-sex domestic partners, grandparents, grandchildren and parents-in-law.

Next Steps. Rather than relying on one uniform leave policy, employers must now contend with a patch-work of federal, state and local laws. Employers should review the requirements of new state paid leave laws and update leave policies accordingly.

Contact Information. For more information, please contact Douglas Towns (404.888.8852) or Jessica Gallegos (404.888.8849).

IRS Circular 230 Notice: To ensure compliance with requirements of U.S. Treasury regulations, we inform you that any tax advice contained in this newsletter is not intended to be used, and cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code or promoting, marketing or recommending to another party any transaction or matter addressed herein.

999 Peachtree Street • Suite 1500 • Atlanta, GA 30309

www.mazconlaw.com • 404.888.8820

www.VCGConsultants.com • 770.863.3600