

# HOUSE BILL No. 1316

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-2-18.

**Synopsis:** Personal leave. Provides that certain employees of certain employers are entitled to accrue one hour of personal leave for every 30 hours worked, but may not accrue more than 60 hours of personal leave in a 12 month period, unless the employer allows for a higher accrual.

**Effective:** July 1, 2019.

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January 14, 2019, read first time and referred to Committee on Employment, Labor and Pensions.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

# HOUSE BILL No. 1316

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-2-18 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2019]:  
4 **Chapter 18. Employee Personal Leave**  
5 **Sec. 1. This chapter applies after June 30, 2019.**  
6 **Sec. 2. As used in this chapter, "commissioner" refers to the**  
7 **commissioner of labor appointed under IC 22-1-1-2.**  
8 **Sec. 3. (a) As used in this chapter, "employee" has the meaning**  
9 **set forth in IC 22-2-2-3.**  
10 **(b) The term does not include an independent contractor (as**  
11 **described in IC 22-3-6-1(b)(7) or IC 22-3-7-9(b)(5)).**  
12 **Sec. 4. As used in this chapter, "employer" has the meaning set**  
13 **forth in IC 22-2-2-3.**  
14 **Sec. 5. (a) An employee shall accrue one (1) hour of personal**  
15 **leave for every thirty (30) hours worked, but may not accrue more**  
16 **than sixty (60) hours of personal leave in a twelve (12) month**  
17 **period, unless the employer allows for a higher accrual.**



1           **(b) A leave described in subsection (a) is subject to the following**  
2 **conditions:**

3           **(1) The employer may require an employee to submit a**  
4 **written request to the employer for the leave at least seven (7)**  
5 **days before the time desired for the leave if the need for the**  
6 **leave is reasonably foreseeable. If the need for the leave is not**  
7 **reasonably foreseeable, the employee shall give as much**  
8 **notice as is practicable.**

9           **(2) Leave may not be taken in increments of less than one (1)**  
10 **hour, or the smallest increment of time that the employer uses**  
11 **to account for absences or uses of other time.**

12           **Sec. 6. Personal leave accrued under this chapter shall carry**  
13 **over from year to year, but an employer is not required to allow an**  
14 **employee to use more than sixty (60) hours in a single year.**

15           **Sec. 7. A notice in a form approved by the commissioner setting**  
16 **forth the rights of employees under this chapter must be**  
17 **conspicuously and continuously posted by the employer in an area**  
18 **in which employees are routinely employed.**

19           **Sec. 8. The commissioner may adopt rules under IC 4-22-2 to**  
20 **implement this chapter.**

21           **Sec. 9. The commissioner shall enforce this chapter.**

22           **Sec. 10. The commissioner may issue any reasonable order to**  
23 **remedy a violation of this chapter.**

24           **Sec. 11. (a) This chapter does not prohibit an employee from**  
25 **taking a leave granted under any other law.**

26           **(b) This chapter does not prohibit an employer from providing**  
27 **leave in addition to the leave required by this chapter.**

