

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 617

**PRINTER NO.** 694

**AMOUNT**

\$1,000,000

**FUND**

General Fund

**DATE INTRODUCED**

May 3, 2021

**PRIME SPONSOR**

Senator Tartaglione

**DESCRIPTION**

Senate Bill 617 establishes the Pennsylvania Family and Medical Leave Act.

This bill requires an employer to provide up to six weeks of the same unpaid leave available under the federal Family and Medical Leave Act of 1993 (FMLA) to an eligible employee to care for the employee’s sibling, grandparent, or grandchild if the grandparent or grandchild do not have a living spouse, a child over 17 years of age or a parent under 65 years of age and has a certified terminal illness. The employee is entitled to the same protections and rights which are afforded under the FMLA.

This legislation provides that the amount of leave taken may not exceed six weeks during a 12-month period and must be taken in a minimum of one-week increments. Leave taken under FMLA reduces leave afforded under this act, but leave under this act shall not reduce the employee’s leave entitlement under FMLA. An employer is allowed to require certification from a physician to verify the terminal illness of an eligible family member of an employee providing notice of the need to take leave under the legislation. An employee may file a complaint if the employee is denied leave and believes that the employer has violated the act.

Senate Bill 617 gives the Department of Labor and Industry (department) the following powers and duties:

- Develop necessary forms;
- Post employee complaint forms on the department’s website;
- Develop procedures to investigate and resolve complaints; and
- Promulgate regulations as necessary to administer the act.

The act shall take effect in 60 days; however, the department shall not be required to enforce this act until adequate funding is appropriated.

**FISCAL IMPACT:**

Senate Bill 617 requires adequate funding, as determined by the Secretary of the Department of Labor and Industry, to be appropriated to implement the act before enforcement by the department is required.

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The department estimates \$1 million will be necessary for the implementation of the legislation. The department anticipates \$800,000 will be utilized for 10 investigators and \$200,000 will be needed for computer systems.