

SENATE BILL 662

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 1, relative to leave for parental
involvement in schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by adding the following as a new, appropriately designated section:

(a) An employer shall grant four (4) hours leave per year to any employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that the employee may attend or otherwise be involved at the child's school. However, any leave under this section is subject to the following conditions:

(1) To be eligible for leave under this section, the employee shall:

(A) Have been employed by the employer for a period of twelve

(12) consecutive months; and

(B) Work, on average, at least half the hours normally required per week for full-time employment at that employer;

(2) The leave shall be at a mutually agreed upon time between the employer and the employee;

(3) The employer may require the employee:

(A) To provide the employer with a written request for leave at least forty-eight (48) hours before the requested leave begins; and

(B) To furnish written verification from the child's school that the employee attended or was otherwise involved at that school during the time of the leave;

(4) Parents, guardians, or persons standing in loco parentis of a school-aged child who work for the same employer are prohibited from taking concurrent leave unless by mutual agreement with the employer;

(5) The employee shall make reasonable efforts to schedule leave so as to not unduly disrupt the operations of the employer; and

(6) The employer may refuse to grant leave under this section if the involvement in the child's school could reasonably be scheduled during nonwork hours.

(b) An employer shall not discharge, demote, or otherwise take an adverse employment action against an employee who requests or takes leave under this section. Nothing in this section shall require an employer to pay an employee for leave taken under this section.

(c)

(1) An employee who is demoted or discharged or who has had an adverse employment action taken against the employee in violation of this section may bring a civil action within one (1) year from the date of the alleged violation against the employer who violates this section and obtain either of the following:

(A) Any wages or benefits lost as a result of the violation; or

(B) An order of reinstatement without loss of position, seniority, wages, or benefits.

(2) The burden of proof shall be upon the employee.

(d) For purposes of this section, "school" means any public or private school that conducts classes in any grade from kindergarten through grade twelve (K-12).

SECTION 2. This act shall take effect January 1, 2016, the public welfare requiring it, and shall apply to any violations committed on or after that date.