

By: Representative Summers

To: Public Health and Human
Services; Workforce
Development

HOUSE BILL NO. 216

1 AN ACT TO CREATE THE "FAMILIES FIRST UNPAID LEAVE TIME ACT";
2 TO PROVIDE THAT FULL-TIME AND PART-TIME EMPLOYEES SHALL BE GIVEN
3 UNPAID LEAVE TIME TO PARTICIPATE IN THE EDUCATIONAL OR
4 EXTRACURRICULAR ACTIVITIES OF THE CHILD OF THE EMPLOYEE, TO
5 ACCOMPANY A CHILD OR OTHER FAMILY MEMBER TO ANY MEDICAL
6 APPOINTMENT BY A HEALTHCARE PROFESSIONAL OR TO CARE FOR A SICK
7 CHILD OR FAMILY MEMBER; TO PROVIDE DEFINITIONS; TO PROVIDE THAT
8 CERTAIN NOTICE MUST BE GIVEN TO THE EMPLOYER WHEN AN EMPLOYEE USES
9 THE UNPAID LEAVE TIME; TO PROVIDE THAT NO EMPLOYEE SHALL BE
10 DISCIPLINED FOR USING THE UNPAID LEAVE TIME; AND FOR RELATED
11 PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** This act shall be known and may be cited as the
14 "Families First Unpaid Leave Time Act."

15 **SECTION 2.** The purpose of this act is to ensure that
16 employees in Mississippi can address educational and healthcare
17 needs, as well as the health and safety needs of their family
18 members, particularly their children, by requiring employers to
19 allow employees to take unpaid leave time including time to care
20 for their family members and allow for ease and uniformity of
21 administration for the business community in providing the leave
22 for their employees.



23 **SECTION 3.** For purposes of this act, the following words and
24 phrases shall have the meaning described herein, unless the
25 context clearly requires otherwise:

26 (a) "Child" means a biological, adopted or foster son
27 or daughter, a stepson or stepdaughter, a legal ward, or a son or
28 daughter of an employee who stands in loco parentis to that child.

29 (b) "Family member" means a child, parent, spouse,
30 mother-in-law, father-in-law, grandparent, grandchild, sibling,
31 aunt, uncle or other member of the employee's household.

32 (c) "Employer" means any individual or entity that
33 includes any individual, partnership, company, association,
34 corporation, business trust, or any person or group of persons
35 acting directly or indirectly in the interest of an employer.

36 (d) "Full-time employee" means a person who works at
37 least thirty-five (35) hours per week. "Full-time employee" shall
38 not mean those employees who receive leave under Sections 25-3-91
39 through 25-3-103.

40 (e) "Part-time employee" means a person who works at
41 least fifteen (15) hours per week. "Part-time employee" shall not
42 mean those employees who receive leave under Sections 25-3-91
43 through 25-3-103.

44 **SECTION 4.** Employers shall provide at least sixteen (16)
45 hours per year of unpaid leave time, at the employer's discretion,
46 to full-time employees. The employees are encouraged to use the
47 leave time to participate in the educational or extracurricular



activities of the child of the employee, to accompany a child or other family member to any medical appointment by a healthcare professional or to care for a sick child or family member. Such leave shall be in addition to any paid or unpaid leave the full-time employee receives as of the effective date of this act. Except in emergency situations or other unforeseeable situations, the employee shall provide ten (10) days notice to the employer in advance of the use of the unpaid leave time and shall make a reasonable effort to schedule the use of the unpaid leave time in a manner that does not unduly disrupt the operations of the employer. No employee shall be laid off, written up, reprimanded, demoted, transferred or otherwise disciplined or punished for using any of the unpaid leave time provided in this section.

SECTION 5. Employers shall provide at least eight (8) hours per year of unpaid leave time, at the employer's discretion, to part-time employees. The employees are encouraged to use the leave time to participate in the educational or extracurricular activities of the child of the employee, to accompany a child or other family member to any medical appointment by a healthcare professional or to care for a sick child or family member. Such leave shall be in addition to any paid or unpaid leave the part-time employee receives as of the effective date of this act. Except in emergency situations or other unforeseeable situations, the employee shall provide ten (10) days notice to the employer in advance of the use of the unpaid leave time and shall make a



73 reasonable effort to schedule the use of the unpaid leave time in
74 a manner that does not unduly disrupt the operations of the
75 employer. No employee shall be laid off, written up, reprimanded,
76 demoted, transferred or otherwise disciplined or punished for
77 using any of the unpaid leave time provided in this section.

78 **SECTION 6.** This act shall take effect and be in force from
79 and after July 1, 2021.

