

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 4397

By: Pittman

AS INTRODUCED

An Act relating to employers and employees; allowing for paid time off in certain situations; authorizing circumstances for leave; regulating use of paid leave; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-244 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. This act shall allow Oklahomans to receive paid leave time to process and address their own health needs and the health needs of their partners during the period following a pregnancy loss, an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, a failed adoption arrangement, a failed surrogacy arrangement, or a diagnosis or event that impacts pregnancy or fertility, to support related research and education, and for other purposes.

B. Employers covered by this act shall include the following:

1 1. Any person engaged in commerce or in any industry or
2 activity affecting commerce who employs five (5) or more employees
3 for each working day during each of twenty (20) or more calendar
4 work weeks in the current or preceding year; and

5 2. Any state or local governmental entity;

6 C. An employer shall grant to each employee employed by the
7 employer, twenty-four (24) hours of paid leave time on the
8 employee's first workday of each calendar year to be used for the
9 following circumstances:

10 1. An absence resulting from a pregnancy loss;

11 2. An unsuccessful round of intrauterine insemination or of an
12 assisted reproductive technology procedure;

13 3. A failed adoption match or an adoption that is not
14 finalized because it is contested by another party;

15 4. A failed surrogacy arrangement; or

16 5. A diagnosis or event that impacts pregnancy or fertility.

17 6. An absence to care for a spouse or domestic partner who
18 experiences a circumstance described this subsection of this act.

19 D. Paid leave time granted under this act shall not carry over
20 from one (1) year to the next.

21 E. Paid leave time shall be provided upon the oral or written
22 request of an employee. Such request shall include the expected
23 duration of the period of such time, and be provided as soon as
24 practicable after the employee is aware of the need for such period.

1 F. An employer may not require, as a condition of providing
2 paid leave time under this act, that the employee involved search
3 for or find a replacement employee to cover the hours during which
4 the employee is using paid leave time.

5 G. Nothing in this section shall be construed as requiring
6 financial or other reimbursement to an employee from an employer
7 upon the employee's termination, resignation, retirement, or other
8 separation from employment for granted paid leave time that has not
9 been used.

10 SECTION 2. This act shall become effective November 1, 2022.

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