

ACT 128

H.B. NO. 213

A Bill for an Act Relating to Family Leave.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 398-3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) An employee shall be entitled to a total of four weeks of family leave during any calendar year ~~upon~~:

- (1) Upon the birth of a child of the employee or the adoption of a child~~[-or to]; or~~
- (2) To care for the employee’s child, spouse ~~[or]~~, reciprocal beneficiary, sibling, or parent with a serious health condition.”

SECTION 2. Section 398-5, Hawaii Revised Statutes, is amended to read as follows:

“**§398-5 Notice.** In any case in which the necessity for family leave for purposes of birth or adoption of a child or providing care to a child, spouse, reciprocal beneficiary, sibling, or parent is foreseeable, the employee shall provide the employer with prior notice of the expected birth or adoption or serious health condition in a manner that is reasonable and practicable. Requests for family leave shall include evidence that the employee has submitted the request and provided required data in accordance with section 398-9.5.”

SECTION 3. Section 398-6, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) When leave is to care for a child, spouse, reciprocal beneficiary, sibling, or parent who has a serious health condition, certification shall be issued by the health care provider of the individual requiring care. Certification shall be considered sufficient if it provides information as required by the director.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved July 10, 2017.)