

ACT 40

H.B. NO. 2148

A Bill for an Act Relating to Family Leave.

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

SECTION 1. The legislature finds that approximately sixty-one thousand children under age eighteen live in homes where householders are grandparents or other relatives. Approximately forty-seven thousand of these children live with grandparents, according to a May 2017 fact sheet by Grandfamilies.org. The legislature also finds that there is a growing number of grandparents raising grandchildren and who are primary caretakers of their grandchildren. While Hawaii's family leave law allows employees to take family leave upon the birth of an employee's child, an employee's adoption of a child, or to care for an employee's child, spouse or reciprocal beneficiary, or a parent with a serious condition, family leave does not extend to care for employees' grandchildren.

The purpose of this Act is to:

- (1) Extend family leave in the State to include care for employees' grandchildren; and
- (2) Provide a definition of "sibling" for purposes of the family leave law.

SECTION 2. Section 398-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read:

"Sibling" means an individual who is a biological, adopted, or foster brother or sister; or a stepbrother or stepsister of an employee."

SECTION 3. 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:

- (1) Upon the birth of a child of the employee or the adoption of a child; or
- (2) To care for the employee's child, spouse, reciprocal beneficiary, sibling, grandchild, or parent with a serious health condition."

SECTION 4. 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, grandchild, 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 5. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2020.

(Approved September 15, 2020.)