



SPONSOR: Rep. Briggs King & Rep. Hensley & Sen. Richardson
Reps. Brady, Gray, Keeley, Kowalko, Osienski,
Spiegelman; Sens. Henry, Lavelle

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 283

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FAMILY LEAVE.

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

1 Section 1. Amend § 1333, Title 14 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 1333. Paid leave for birth of a child or adoption of a child.

4 (a) For child care purposes, a full-time or part-time employee of a reorganized school district shall be entitled to
5 utilize accumulated sick leave upon the birth of a child of the employee or the employee's spouse, or upon the adoption by
6 the employee of a pre-kindergarten age child as per the rules and regulations adopted by the Merit Employee Relations
7 Board of State Personnel Office for maternity leave.

8 (b) Notwithstanding the exhaustion of any benefits provided under the Family and Medical Leave Act [29 U.S.C.
9 ¶¶ 2601 et. seq.], in the event a mother who is a full time employee has a pregnancy complication that warrants a prolonged
10 or extended hospitalization of the mother or the infant in the antepartum or immediate postpartum period, including giving
11 birth to monoamniotic twins, or multiples of 3 or more, the mother shall be entitled to unpaid leave for at least 6 weeks
12 following the discharge of the newborn(s) from the hospital or other medical care facility.

SYNOPSIS

In the 149th General Assembly House Bill No. 64 amended Title 29, Section 5120 to insure that mothers who are full time state employees may have up to 6 weeks of unpaid leave following the newborn(s) discharge from the hospital even if their FMLA benefits have been exhausted. This bill clarifies that school district employees are entitled to the same unpaid leave.