

INFANT AT WORK PILOT PROGRAM

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This bill establishes the Infant at Work Pilot Program for eligible employees of the Department of Health.

Highlighted Provisions:

This bill:

- ▶ establishes definitions for the Infant at Work Pilot Program;
- ▶ creates the Infant at Work Pilot Program for eligible employees to bring their infants to work;
- ▶ establishes an application process through the Department of Human Resource Management (department) for eligible employees of the Department of Health to apply;
- ▶ creates an evaluation process for the department to determine if an eligible employee may participate in the program;
- ▶ grants rulemaking authority to the department;
- ▶ requires the department to submit a report to the Business and Labor Interim Committee; and
- ▶ establishes a repeal date for the program.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-2-267, as last amended by Laws of Utah 2013, Chapter 278

ENACTS:

67-19-45, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **63I-2-267** is amended to read:**63I-2-267. Repeal dates -- Title 67.**Section **67-19-45** is repealed June 30, 2023.Section 2. Section **67-19-45** is enacted to read:**67-19-45. Definitions -- Infant at Work Pilot Program -- Administration -- Report.**(1) As used in this section:(a) "Eligible employee" means an employee who has been employed by theDepartment of Health for a minimum of:(i) 12 consecutive months; and(ii) 1,250 hours, excluding paid time off during the 12-month period immediately
preceding the day on which the employee applies for participation in the program.(b) "Infant" means a baby that is at least six weeks of age and no more than six months
of age.(c) "Parent" means:(i) a biological or adoptive parent of an infant; or(ii) an individual who has an infant placed in the individual's foster care by theDivision of Child and Family Services.(d) "Program" means the Infant at Work Pilot Program established in this section.(2) There is created the Infant at Work Pilot Program for eligible employees.(3) The program shall:

56 (a) allow an eligible employee to bring the eligible employee's infant to work subject to
57 the provisions of this section;

58 (b) be administered by the department; and

59 (c) be implemented for a minimum of one year.

60 (4) The department shall establish an application process for eligible employees of the
61 Department of Health to apply to the program that includes:

62 (a) a process for evaluating whether an eligible employee's work environment is
63 appropriate for an infant;

64 (b) guidelines for infant health and safety; and

65 (c) guidelines regarding an eligible employee's initial and ongoing participation in the
66 program.

67 (5) If the department approves the eligible employee for participation in the program,
68 the eligible employee shall have the sole responsibility for the care and safety of the infant at
69 the workplace.

70 (6) The department may not require the Department of Health to designate or set aside
71 space for an eligible employee's infant other than the eligible employee's existing work space.

72 (7) The department, in consultation with the Department of Health, shall adopt rules
73 that the department determines necessary to establish the program in accordance with Title
74 63G, Chapter 3, Utah Administrative Rulemaking Act.

75 (8) By June 30, 2022, the department, in consultation with the Department of Health,
76 shall submit a written report to the Business and Labor Interim Committee that describes the
77 efficacy of the program, including any recommendations for additional legislative action.

78 **Section 3. Effective date.**

79 This bill takes effect on November 2, 2020.