

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 to apply;
- ▶ creates an evaluation process for the department to determine if an eligible employee may participate in the program;
- ▶ allows the Department of Health to revoke an eligible employee's privileges for the program; and
- ▶ grants rulemaking authority to the department.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 ENACTS:

29 67-19-45, Utah Code Annotated 1953



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **67-19-45** is enacted to read:

33 **67-19-45. Definitions -- Infant at Work Pilot Program -- Administration.**

34 (1) As used in this section:

35 (a) "Eligible employee" means an employee who has been employed:

36 (i) 12 consecutive months or more by the Department of Health; and

37 (ii) for 1,250 hours of work or more, excluding paid time off, with the Department of
38 Health during the previous 12-month period.

39 (b) "Infant" means a baby that is six months of age or younger.

40 (c) "Parent" means:

41 (i) a biological or adoptive parent of an infant; or

42 (ii) an individual who has an infant placed in the individual's foster care by the
43 Division of Child and Family Services.

44 (d) "Program" means the Infant at Work Pilot Program established in this section.

45 (2) There is created the Infant at Work Pilot Program for eligible employees.

46 (3) (a) The program shall:

47 (i) allow an eligible employee to bring the eligible employee's infant to work subject to
48 the provisions of this section; and

49 (ii) be administered by the department.

50 (4) The department shall establish an application process for the eligible employee to
51 apply to the program.

52 (5) (a) The department shall evaluate if the eligible employee's work environment is
53 appropriate for an infant based on a determination of safety, health, or other concerns for the
54 infant, employees, and other individuals.

55 (b) The eligible employee may not participate in the program if the department
56 determines that the eligible employee's work environment is inappropriate.

57 (6) The eligible employee shall submit with an application:

58 (a) a statement from the eligible employee's physician that the eligible employee's

59 infant is cleared for participation in the program; and

60 (b) a statement from the eligible employee's supervisor that approves the eligible
61 employee's participation in the program.

62 (7) The department shall approve or reject the eligible employee's application based on
63 the determination described in Subsection (5) and the successful completion of the application
64 requirements described in Subsection (6).

65 (8) If the department approves the eligible employee for participation in the program,
66 the eligible employee shall have the sole responsibility for the safety of the infant at the
67 workplace.

68 (9) (a) The Department of Health may revoke the eligible employee's participation in
69 the program with a written explanation to the department.

70 (b) If the Department of Health revokes the eligible employee's participation in the
71 program, the eligible employee may not participate in the program.

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

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