

## HB0264S01 compared with HB0264

~~deleted text~~ shows text that was in HB0264 but was deleted in HB0264S01.

inserted text shows text that was not in HB0264 but was inserted into HB0264S01.

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Representative Stephanie Pitcher proposes the following substitute bill:

### INFANT AT WORK PILOT PROGRAM

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Pitcher**

Senate Sponsor: ~~\_\_\_\_\_~~ Deidre M. Henderson

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#### 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

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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:

ENACTS:

67-19-45, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

(a) "Eligible employee" means an employee who has been employed **by the**

**Department of Health for a minimum of:**

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

(ii) ~~†for~~ 1,250 hours~~† of work or more~~, excluding paid time off~~†, with the Department of Health~~ during the~~† previous~~ 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~~† or younger~~.

(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 the

Division 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) (a) The program shall:

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

(ii) be administered by the department.

(4) (a) The department shall establish an application process for ~~the~~ eligible ~~employee~~ employees of the Department of Health to apply to the program~~;~~

~~\_\_\_\_\_ (5) (a) The department~~}, which shall evaluate if the~~ include:~~

(a) a process for evaluating whether an eligible employee's work environment is appropriate for an infant ~~based on a determination of safety, health, or other concerns for the infant, employees, and other individuals.~~

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

~~\_\_\_\_\_ (6) The eligible employee shall submit with an application:~~

~~\_\_\_\_\_ (a) a statement from the eligible employee's physician that the~~;~~~~

(b) guidelines for infant health and safety; and

(c) guidelines regarding an eligible employee's ~~infant is cleared for~~ initial and ongoing participation in the program~~;~~ and

~~\_\_\_\_\_ (b) a statement from the eligible employee's supervisor that approves the eligible employee's participation in the program.~~

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

(~~8~~5) If the department approves the eligible employee for participation in the program, the eligible employee shall have the sole responsibility for the care and safety of the infant at the workplace.

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

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

~~†~~ (~~10~~6) The department may not require the Department of Health to designate or set aside space for an eligible employee's infant other than the eligible employee's existing work space.

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(~~111~~7) The department, in consultation with Department of Health, shall adopt rules that the department determines necessary to establish the program in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.