

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

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; and
- ▶ grants rulemaking authority to the department.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.



26 **Utah Code Sections Affected:**

27 ENACTS:

28 67-19-45, Utah Code Annotated 1953

29

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

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

32 **67-19-45. Definitions -- Infant at Work Pilot Program -- Administration.**

33 (1) As used in this section:

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

35 Department of Health for a minimum of:

36 (i) 12 consecutive months; and

37 (ii) 1,250 hours, excluding paid time off during the 12-month period immediately
38 preceding the day on which the employee applies for participation in the program.

39 (b) "Infant" means a baby that is at least six weeks of age and no more than six months
40 of age.

41 (c) "Parent" means:

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

43 (ii) an individual who has an infant placed in the individual's foster care by the

44 Division of Child and Family Services.

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

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

47 (3) The program shall:

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

50 (b) be administered by the department; and

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

52 (4) The department shall establish an application process for eligible employees of the

53 Department of Health to apply to the program that includes:

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

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

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

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

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

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

67 Section 2. **Effective date.**

68 This bill takes effect on November 2, 2020.