

HOUSE BILL NO. 378
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE BRUCKMAN

Introduced: 1/13/92

Referred: Health, Education & Social Services, Labor & Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring certain employers to grant employees leave for medical procedures
2 connected with the donation of bone marrow."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 23.10 is amended by adding a new section to read:

5 Sec. 23.10.440. LEAVE FOR BONE MARROW DONATION. (a) An employer shall
6 grant paid leaves of absence to an employee who seeks to undergo a medical procedure to donate
7 bone marrow. The employee shall determine the combined length of the leaves of absence.
8 However, the combined length may not exceed 40 work hours unless the employer agrees to a
9 longer period. The employer may require verification by a physician of the purpose and length
10 of each leave requested by the employee to donate bone marrow. If there is a medical
11 determination that the employee does not qualify as a bone marrow donor, the paid leave of
12 absence granted to the employee before that medical determination is not forfeited.

13 (b) An employer may not retaliate against an employee for requesting or obtaining a
14 leave of absence under this section.

1 (c) This section does not prevent an employer from providing leave for bone marrow
2 donations in addition to leave allowed under this section. This section does not affect an
3 employee's rights with respect to other employment benefits.

4 (d) In this section,

5 (1) "employee" means a person who performs services for hire for an employer
6 for an average of 20 or more hours per week and includes all individuals employed at any site
7 owned or operated by an employer; "employee" does not include an independent contractor;

8 (2) "employer" means a person or entity that employs 20 or more employees at
9 at least one site and includes the state, the University of Alaska, the Alaska Railroad, and
10 political subdivisions of the state.