

May 2009-BWI STATION NOTICE

!!!Attention Maryland Workers!!!

You have access to benefits provided by a new Leave Law
MD State Flexible Leave Act

Effective October 1, 2008, the Flexible Leave Act, Chapter 644 of the Laws of Maryland 2008, authorizes employees of employers with 15 or more individuals to use **“leave with pay” for an illness in the employee’s immediate family which includes a child, spouse or parent. Leave with pay is considered time away from work for which an employee is paid and includes sick leave, vacation time and compensatory time.** An employee may only use leave with pay that has been earned. Employees who earn more than one type of leave with pay may elect the type and amount of leave with pay to be used. An employee who uses leave with pay under this law is required to comply with the terms of any collective bargaining agreement or employment policy.

The Flexible Leave Act prohibits an employer from discharging, demoting, suspending, disciplining or otherwise discriminating against an employee or threatening to take any of these actions against an employee who exercises rights under this law. This law does not affect leave granted under the Federal Family and Medical leave Act of 1993 (FMLA).

Brief Frequently Asked Questions...

- Q. What is “leave with pay”?
- A. Leave with pay is defined as time away from work for which an employee receives compensation, such as SICK LEAVE or VACATION TIME.
- Q. Who is considered “immediate family”?
- A. Immediate family is defined as including a child, spouse or parent.
- Q. Can an employer still require employees to comply with applicable employment policies that place certain requirements on employees for using leave with pay, such as notice prior to taking leave?
- A. Yes, as long as the employment policy does not conflict with the provisions of the Act. If the policy provides a leave with pay benefit that is equal to or greater than the benefit provided under the Act, that policy prevails.

Be Aware That...

The employee can decide which type of leave with pay they want to use.

The employee can use leave accrued before October 2008.

The benefits of the MD Flexible Leave Act are NOT retroactive.

*For questions regarding the MD State Flexible Leave Act and other Leaves please contact
Amye Thompson TWU Leave Specialist at 1-800-595-7672 or a.thompson@twu555.org*