

2024 -- H 8009

LC005097

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- ORGAN-DONATION LEAVE ACT

Introduced By: Representatives Edwards, Diaz, Baginski, Noret, Casey, Bennett, Donovan, Solomon, Potter, and Alzate

Date Introduced: March 05, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 36 of the General Laws entitled "PUBLIC OFFICERS AND  
2 EMPLOYEES" is hereby amended by adding thereto the following chapter:

3 CHAPTER 17

4 ORGAN-DONATION LEAVE ACT

5 **28-17-1. Short title.**

6 This chapter shall be known and may be cited as the "Organ-Donation Leave Act."

7 **28-17-2. Organ-donation leave.**

8 (a) Eligibility. A state employee who is currently working and has successfully completed  
9 an initial probationary period during the current employment period and worked at least one  
10 thousand two hundred fifty (1,250) hours during the previous twelve (12) months may be eligible  
11 for paid leave as provided in this section to donate a kidney, a liver segment, or bone marrow, and  
12 medically recover. An eligible employee may take organ-donation leave no more than once in any  
13 twelve (12) month period.

14 (b) Duration. Any organ-donation leave begins on the date of donation and ends on the  
15 earliest of:

16 (1) Sixty (60) calendar days after a kidney or liver segment donation;

17 (2) Thirty (30) calendar days after a bone marrow donation;

18 (3) The date that absence to recover from the donation is no longer supported by

1 documentation from the employee's medical provider as medically necessary;

2 (4) The date of the employee's seasonal layoff, limited term appointment's expiration,  
3 layoff after position abolishment, or separation from state service; or

4 (5) The date the employee returns to work.

5 (c) Notice. Before beginning an organ-donation leave, the employee should give as much  
6 notice as practicable of the expected start and end date for the leave. Notice should be provided at  
7 least thirty (30) days before the leave's expected start.

8 (d) Pay. An eligible full-time employee on organ-donation leave receives base pay during  
9 the leave. An eligible less-than-full-time employee on an organ-donation leave, for each week  
10 during the leave, receives base pay for the average number of hours scheduled each week over the  
11 last six (6) pay periods before the leave, distributed equally Monday through Friday. Hours are  
12 entered in payroll as administrative leave.

13 (e) Holidays. Paid holidays observed during a leave are recorded as paid holidays and do  
14 not extend an organ-donation leave.

15 (f) Leave and accruals. An employee need not exhaust sick and annual leave before taking  
16 organ-donation leave. An employee accrues sick and annual leave during the leave. An eligible  
17 employee may not use any other paid leave during any organ donation leave. Time on organ-  
18 donation leave counts toward step increases if an employee is in satisfactory standing.

19 (g) Coordination with other benefits. Time on organ-donation leave also counts toward any  
20 Family and Medical Leave Act (FMLA) and unpaid medical leave entitlements.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- ORGAN-DONATION LEAVE  
ACT

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1           This act would provide for paid leave for a state employee who donates an organ. The  
2 duration of the leave is dependent on the type of donation and notice should be provided to the  
3 employer at least thirty (30) days prior to the leave.

4           This act would take effect upon passage.

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