

1 **H. B. 2053**

2
3 (By Delegates Fleischauer, Marshall, Manypenny, Martin
4 and Lawrence)

5 [Introduced January 12, 2011; referred to the
6 Committee on Education then Finance.]
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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §18B-7-12a, relating
12 to providing paid childbirth leave for higher education
13 personnel.

14 *Be it enacted by the Legislature of West Virginia:*

15 That the Code of West Virginia, 1931, as amended, be amended
16 by adding thereto a new section, designated §18B-7-12a, to read as
17 follows:

18 **ARTICLE 7. PERSONNEL GENERALLY.**

19 **§18B-7-12a. Paid childbirth leave.**

20 (a) Notwithstanding any other provision of this code to the
21 contrary, effective July 1, 2011, the governing boards of all state
22 colleges, universities and community colleges, both public and
23 private, shall submit plans detailing how paid childbirth leave of
24 at least six weeks would be made available to nine-month faculty

1 employees. The plans must be submitted to the Higher Education
2 Policy Commission and the Legislative Oversight Committee on
3 Education Accountability no later than October 1, 2011.

4 (b) The governing boards of all state colleges, universities
5 and community colleges, both public and private, prior to October
6 1, 2011, shall study the paid childbirth plans at other
7 institutions around the country and consult with affected faculty
8 members of both genders before submitting their plans. The plans
9 should also specify how leaves would be funded and include proposed
10 rules for using paid childbirth leave.

11 (c) The plans submitted must identify which types of employees
12 to which the plans would apply, with the goal of providing broad
13 coverage. Any particular groups of employees who are being
14 excluded should be identified and an explanation for their
15 exclusion must be included. The plans may discuss challenges and
16 suggested short-term or long-term methods of resolving the
17 challenges.

18 (d) If any institution of higher education has a paid
19 childbirth leave policy, the term of that childbirth leave policy
20 must be submitted, together with information identifying which
21 groups, if any, are excluded from the policy and the reasons for
22 exclusion. If the institution of higher education has identified
23 any challenges to providing broad coverage, suggested short-term
24 and long-term methods for resolving any challenges to providing

1 broad coverage may also be submitted.

NOTE: The purpose of this bill is to require governing boards of state universities, colleges and community colleges to submit plans detailing how paid childbirth leave would be made available to nine-month faculty employees.

This section is new; therefore, it has been completely underscored.