



ROSENSTEIN, FIST & RINGOLD

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## RED BANNER UPDATE

**Date:** May 30, 2023

**Re:** SB 1121

**Signed:** May 25, 2023

**Effective:** July 1, 2023

**Topic:** **Maternity Leave**

**Summary:** This bill amends existing law (70 O.S. § 6-104.6) regarding maternity leave for full-time employees of K12 and technology centers, providing that such will be entitled to 6 weeks of paid maternity leave following the birth of the employee's child. The leave must be used immediately following the birth. The 6 weeks of leave shall be in addition to and not in place of sick leave due to pregnancy pursuant to 70 O.S. § 6-104.

An employee taking maternity leave pursuant to the new law shall not be deprived of any compensation or other benefits to which the employee is otherwise entitled. Maternity leave pursuant to the new law has been added as an eligible type of leave to be covered by a district's leave sharing program. Under such a program, maternity leave must be used prior to use of shared sick leave.

The bill further amends existing law (70 O.S. § 6-104.1) to add maternity leave as a type of leave which must be exhausted, together with sick leave and extended leave, to receive full credit for the days on leave without pay when a teacher takes not more than 90 school days of leave without pay to care for a child during the first year of the child's life. The full credit received is for purposes of computing experience for the minimum teacher salary schedule.

The new law creates a "Public School Paid Maternity Leave Revolving Fund" and "Education Employee Paid Maternity Leave Revolving Fund" to be supported through legislative appropriations. A school district may file claims with the OSBE for reimbursement of expenses related to providing eligible employees with paid maternity leave.



The new law also contains provisions regarding maternity leave for teachers employed by the Office of Juvenile Affairs and the Oklahoma Department of Corrections.

For more information on this Act, please visit the firm's website to view the signed Act.

Legal counsel at the firm is currently reviewing this legislation and will be advising clients as to any recommended changes to existing district policies.