

By Senator Abruzzo

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1 A bill to be entitled
2 An act relating to spouses of military servicemembers;
3 creating s. 115.135, F.S.; defining terms; prohibiting
4 an employing agency from compelling an employee who is
5 the spouse of a military servicemember to work, or
6 imposing a sanction or penalty upon such employee for
7 failure or refusal to work, extended hours during
8 active military service deployment of his or her
9 spouse under specified circumstances; requiring an
10 employing agency to grant a request from such employee
11 for unpaid leave for certain purposes upon the active
12 military service deployment under specified
13 circumstances; providing a limitation on such unpaid
14 leave; clarifying that such unpaid leave is concurrent
15 with qualifying exigency leave granted by an employing
16 agency; authorizing the Department of Management
17 Services to adopt rules to administer this section;
18 providing an effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 115.135, Florida Statutes, is created to
23 read:

24 115.135 Leave considerations for spouses of military
25 servicemembers in active military service.-

26 (1) As used in this section, the term:

27 (a) "Active military service" shall signify active duty
28 with any branch of the Armed Forces or Reservists of the Armed
29 Forces, the Florida National Guard, the Coast Guard of the

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30 United States, and service of all officers of the United States
31 Public Health Service detailed by proper authority for duty with
32 the Armed Forces, and shall include the period during which a
33 person in military service is absent from duty on account of
34 sickness, wounds, leave, or other lawful cause.

35 (b) "Employing agency" has the same meaning as provided in
36 s. 110.107(24).

37 (2) An employing agency may not compel an employee who is
38 the spouse of a servicemember of the United States Armed Forces
39 to work, or sanction or penalize such an employee for failure or
40 refusal to work, hours in excess of the scheduled hours in the
41 employee's established work period during a period in which his
42 or her spouse is deployed on active military service at a
43 location other than the servicemember's permanent duty station.

44 (3) An employing agency shall grant, if requested, an
45 unpaid leave of up to 4 working days per deployment to an
46 employee whose spouse is a servicemember of the United States
47 Armed Forces deployed on active military service at a location
48 other than the servicemember's permanent duty station for the
49 purpose of attending to matters directly related to the
50 implementation of deployment orders of the employee's spouse.
51 Unpaid leave taken under this subsection runs concurrently with
52 any qualifying exigency leave granted by the employing agency
53 under the Family and Medical Leave Act of 1993, as amended, 29
54 U.S.C. ss. 2601 et seq.

55 (4) The Department of Management Services may adopt rules
56 to administer this section.

57 Section 2. This act shall take effect July 1, 2015.