

§843. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1987, c. 661 (NEW).]

1. Employee. "Employee" means any person who may be permitted, required or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment but does not include an independent contractor.

[PL 1987, c. 661 (NEW).]

2. Employee benefits. "Employee benefits" means all benefits, other than salary and wages, provided or made available to employees by an employer and includes group life insurance, health insurance, disability insurance and pensions, regardless of whether benefits are provided by a policy or practice of an employer.

[PL 1987, c. 661 (NEW).]

3. Employer. "Employer" means:

A. Any person, sole proprietorship, partnership, corporation, association or other business entity that employs 15 or more employees at one location in this State; [PL 1999, c. 127, Pt. D, §2 (AMD).]

B. The State, including the executive, legislative and judicial branches, and any state department or agency that employs any employees; [PL 1987, c. 661 (NEW).]

C. Any city, town or municipal agency that employs 25 or more employees; and [PL 1987, c. 661 (NEW).]

D. Any agent of an employer, the State or a political subdivision of the State. [PL 1987, c. 661 (NEW).]

[PL 1999, c. 127, Pt. D, §2 (AMD).]

4. Family medical leave. "Family medical leave" means leave requested by an employee for:

A. Serious health condition of the employee; [PL 1997, c. 546, §1 (AMD).]

B. The birth of the employee's child or the employee's domestic partner's child; [PL 2007, c. 261, §1 (AMD).]

C. The placement of a child 16 years of age or less with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner; [PL 2007, c. 261, §1 (AMD).]

D. A child, domestic partner's child, parent, domestic partner, sibling or spouse with a serious health condition; [PL 2007, c. 519, §1 (RPR).]

E. The donation of an organ of that employee for a human organ transplant; or [PL 2007, c. 388, §4 (AMD).]

F. The death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child if the spouse, domestic partner, parent, sibling or child as a member of the state military forces, as defined in Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, dies or incurs a serious health condition while on active duty. [PL 2007, c. 519, §2 (AMD).]

[PL 2007, c. 519, §§1, 2 (AMD).]

4-A. Health care provider. "Health care provider" means:

A. A doctor of medicine or osteopathy who is licensed to practice medicine or surgery in this State; or [PL 1997, c. 546, §2 (NEW).]

B. Any other person determined by the Secretary of Labor to be capable of providing health care services. [PL 1997, c. 546, §2 (NEW).]
[PL 1997, c. 546, §2 (NEW).]

4-B. Reduced leave schedule. "Reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.
[PL 2007, c. 233, §1 (NEW).]

5. Serious illness.
[PL 1997, c. 546, §3 (RP).]

6. Serious health condition. "Serious health condition" means an illness, injury, impairment or physical or mental condition that involves:

A. Inpatient care in a hospital, hospice or residential medical care facility; or [PL 1997, c. 546, §2 (NEW).]

B. Continuing treatment by a health care provider. [PL 1997, c. 546, §2 (NEW).]
[PL 1997, c. 546, §2 (NEW).]

7. Domestic partner. "Domestic partner" means the partner of an employee who:

A. Is a mentally competent adult as is the employee; [PL 2007, c. 261, §2 (NEW).]

B. Has been legally domiciled with the employee for at least 12 months; [PL 2007, c. 261, §2 (NEW).]

C. Is not legally married to or legally separated from another individual; [PL 2007, c. 261, §2 (NEW).]

D. Is the sole partner of the employee and expects to remain so; [PL 2007, c. 261, §2 (NEW).]

E. Is not a sibling of the employee; and [PL 2007, c. 261, §2 (NEW).]

F. Is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property.
[PL 2007, c. 261, §2 (NEW).]

[PL 2007, c. 261, §2 (NEW).]

8. Sibling. "Sibling" means a sibling of an employee who is jointly responsible with the employee for each other's common welfare as evidenced by joint living arrangements and joint financial arrangements.

[PL 2007, c. 519, §3 (NEW).]

SECTION HISTORY

PL 1987, c. 661 (NEW). PL 1997, c. 546, §§1-3 (AMD). PL 1999, c. 127, §D2 (AMD). PL 2001, c. 684, §§1-3 (AMD). PL 2007, c. 233, §1 (AMD). PL 2007, c. 261, §§1, 2 (AMD). PL 2007, c. 388, §§3-5 (AMD). PL 2007, c. 519, §§1-3 (AMD).

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