

105TH CONGRESS  
1ST SESSION

# H. R. 109

To amend the Family and Medical Leave Act of 1993, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. CLAY introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform and Oversight, and House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Family and Medical Leave Act of 1993, and  
for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE AND REFERENCE.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Family and Medical Leave Improvements Act of  
6       1997”.

7       (b) REFERENCE.—Whenever in this Act (other than  
8       in section 4) an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-  
 2 sion, the reference shall be considered to be made to a  
 3 section or other provision of the Family and Medical Leave  
 4 Act of 1993.

5 **SEC. 2. COVERAGE OF EMPLOYEES.**

6 Paragraphs (2)(B)(ii) and (4)(A)(i) of section 101  
 7 (29 U.S.C. 2611 (2)(B)(ii) and (4)(A)(i)) are each amend-  
 8 ed by striking “50” each place it appears and inserting  
 9 “25”.

10 **SEC. 3. GENERAL REQUIREMENTS FOR LEAVE.**

11 (a) ENTITLEMENT TO LEAVE.—Section 102(a) (29  
 12 U.S.C. 2612(a)) is amended by adding at the end the  
 13 following:

14 “(3) ENTITLEMENT TO PARENTAL INVOLVE-  
 15 MENT AND ELDER-CARE LEAVE.—

16 “(A) IN GENERAL.—Subject to section  
 17 103(f), an eligible employee shall be entitled to  
 18 a total of 24 hours of leave during any 12-  
 19 month period, in addition to leave available  
 20 under paragraph (1), to—

21 “(i) participate in school activities di-  
 22 rectly related to the educational advance-  
 23 ment of a son or daughter of the employee,  
 24 such as parent-teacher conferences or  
 25 interviewing for a new school;

1 “(ii) accompany the son or daughter  
2 of the employee to routine medical or den-  
3 tal appointments, such as checkups or vac-  
4 cinations; and

5 “(iii) accompany an elderly relative of  
6 the employee to routine medical or dental  
7 appointments or appointments for other  
8 professional services related to the elder’s  
9 care, such as interviewing at nursing or  
10 group homes.

11 “(B) DEFINITIONS.—As used in this para-  
12 graph:

13 “(i) SCHOOL.—The term ‘school’  
14 means an elementary school or secondary  
15 school (as such terms are defined in sec-  
16 tion 14101 of the Elementary and Second-  
17 ary Education Act of 1965 (20 U.S.C.  
18 8801)), a Head Start program assisted  
19 under the Head Start Act (42 U.S.C. 9831  
20 et seq.), and a child care facility licensed  
21 under State law.

22 “(ii) ELDERLY RELATIVE.—The term  
23 ‘elderly relative’ means an individual of at  
24 least 60 years of age who is related by

1                   blood or marriage to the employee, includ-  
2                   ing a parent.”.

3           (b) SCHEDULE.—Section 102(b)(1) (29 U.S.C.  
4 2612(b)(1)) is amended by inserting after the second sen-  
5 tence the following: “Leave under subsection (a)(3) may  
6 be taken intermittently or on a reduced leave schedule.”.

7           (c) SUBSTITUTION OF PAID LEAVE.—Section  
8 102(d)(2)(A) (29 U.S.C. 2612(d)(2)(A)) is amended by  
9 inserting before the period the following: “, or for leave  
10 provided under subsection (a)(3) for any part of the 24-  
11 hour period of such leave under such subsection”.

12          (d) NOTICE.—Section 102(e) (29 U.S.C. 2612(e)) is  
13 amended by adding at the end the following:

14                   “(3) NOTICE FOR PARENTAL INVOLVE-  
15                   MENT AND ELDERCARE LEAVE.—If the neces-  
16                   sity for leave under subsection (a)(3) is foresee-  
17                   able, the employee shall provide the employer  
18                   with not less than 7 days notice before the date  
19                   the leave is to begin. If the necessity for leave  
20                   is not foreseeable, the employee shall provide  
21                   such notice as is practicable.”.

22          (e) CERTIFICATION.—Section 103 (29 U.S.C. 2613)  
23 is amended by adding at the end the following:

24                   “(f) CERTIFICATION FOR PARENTAL INVOLVEMENT  
25 AND ELDER-CARE LEAVE.—An employer may require

1 that a request for leave under section 102(a)(3) be sup-  
2 ported by a certification issued at such time and in such  
3 manner as the Secretary may by regulation prescribe.”.

4 **SEC. 4. LEAVE FOR CIVIL SERVICE EMPLOYEES.**

5 (a) ENTITLEMENT TO LEAVE.—Section 6382(a) of  
6 title 5, United States Code, is amended by adding at the  
7 end the following:

8 “(3)(A) Subject to section 6383(f), an em-  
9 ployee shall be entitled to a total of 24 hours  
10 of leave during any 12-month period, in addi-  
11 tion to leave available under paragraph (1), to:

12 “(i) participate in school activities di-  
13 rectly related to the educational advance-  
14 ment of a son or daughter of the employee,  
15 such as parent-teacher conferences, or  
16 interviewing for a new school;

17 “(ii) accompany the son or daughter  
18 of the employee to routine medical or den-  
19 tal appointments, such as checkups or vac-  
20 cinations; and

21 “(iii) accompany an elderly relative of  
22 the employee to routine medical or dental  
23 appointments or appointments for other  
24 professional services related to the elder’s

1 care, such as interviewing at nursing or  
2 group homes.

3 “(B) As used in this paragraph:

4 “(i) The term ‘school’ means an ele-  
5 mentary school or secondary school (as  
6 such terms are defined in section 14101 of  
7 the Elementary and Secondary Education  
8 Act of 1965 (20 U.S.C. 8801)), a Head  
9 Start program assisted under the Head  
10 Start Act (42 U.S.C. 9831 et seq.), and a  
11 child care facility licensed under State law.

12 “(ii) The term ‘elderly relative’ means  
13 an individual of at least 60 years of age  
14 who is related by blood or marriage to the  
15 employee, including a parent.”.

16 (b) SCHEDULE.—Section 6382(b)(1) of such title is  
17 amended by inserting after the second sentence the follow-  
18 ing: “Leave under subsection (a)(3) may be taken inter-  
19 mittently or on a reduced leave schedule.”.

20 (c) SUBSTITUTION OF PAID LEAVE.—Section  
21 6382(d) of such title is amended by inserting before “,  
22 except” the following: “, or for leave provided under sub-  
23 section (a)(3) any of the employee’s accrued or accumu-  
24 lated annual leave under subchapter I for any part of the  
25 24-hour period of such leave under such subsection”.

1 (d) NOTICE.—Section 6382(e)(1) of such title is  
2 amended by adding at the end the following: “If the neces-  
3 sity for leave under subsection (a)(3) is foreseeable, the  
4 employee shall provide the employer with not less than 7  
5 days notice before the date the leave is to begin. If the  
6 necessity for leave is not foreseeable, the employee shall  
7 provide such notice as is practicable.”.

8 (e) CERTIFICATION.—Section 6383 of such title is  
9 amended by adding at the end the following:

10 “(f) CERTIFICATION.—An employing agency may re-  
11 quire that a request for leave under section 6382(a)(3)  
12 be supported by a certification issued at such time and  
13 in such manner as the Office of Personnel Management  
14 may by regulation prescribe.”.

15 **SEC. 5. EFFECTIVE DATE.**

16 This Act shall take effect 120 days after the date of  
17 enactment.

