

116TH CONGRESS  
2D SESSION

# H. R. 6189

To limit employers from requiring employees to use vacation leave before using sick leave, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2020

Mr. GREEN of Texas introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Oversight and Reform, House Administration, and the Judiciary, 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 limit employers from requiring employees to use vacation leave before using sick leave, 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. PROHIBITING EMPLOYERS FROM REQUIRING**  
4 **EMPLOYEES TO USE VACATION LEAVE BE-**  
5 **FORE USING SICK LEAVE.**

6 (a) IN GENERAL.—Notwithstanding any other provi-  
7 sion of law, an employer may not—

1           (1) require an employee to substitute accrued  
2           vacation leave or personal leave for medical or sick  
3           leave; or

4           (2) require an employee to use accrued vacation  
5           leave or personal leave before such employee uses  
6           medical or sick leave.

7           (b) AMENDMENT TO FMLA.—Section 102(d)(2)(B)  
8           of the Family and Medical Leave Act of 1993 (29 U.S.C.  
9           2612(d)(2)(B)) is amended by inserting “, with respect  
10          to leave taken under subsection (a)(1)(C),” after “elect,  
11          or”.

12          (c) EMPLOYER.—The term “employer”—

13           (1) has the meaning given the term in section  
14           3 of the Fair Labor Standards Act of 1938 (29  
15           U.S.C. 203); and

16           (2) notwithstanding any other provision of law,  
17           includes any Federal agency.

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