

108TH CONGRESS
1ST SESSION

H. R. 956

To amend the Family and Medical Leave Act of 1993 to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extra-curricular activities and to clarify that leave may be taken for routine medical needs and to assist elderly relatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2003

Mrs. MALONEY (for herself, Mr. FROST, Mr. CROWLEY, Mr. SERRANO, Mr. NADLER, Mr. VAN HOLLEN, Ms. SCHAKOWSKY, Ms. NORTON, Ms. MILLENDER-MCDONALD, Mrs. NAPOLITANO, Mr. MCDERMOTT, Mr. OWENS, and Mr. FRANK of Massachusetts) 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 House Administration, 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

A BILL

To amend the Family and Medical Leave Act of 1993 to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extra-curricular activities and to clarify that leave may be taken for routine medical needs and to assist elderly relatives, 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.**

4 This Act may be cited as the “Family and Medical
5 Leave Enhancement Act of 2003”.

6 **SEC. 2. ELIGIBLE EMPLOYEE.**

7 Section 101(2)(B)(ii) of the Family and Medical
8 Leave Act of 1993 (29 U.S.C. 2611(2)(B)(ii)) is amended
9 by striking “less than 50” each place it occurs and insert-
10 ing “fewer than 25”.

11 **SEC. 3. ADDITIONAL LEAVE FOR PARENTAL INVOLVEMENT.**

12 (a) LEAVE REQUIREMENT.—Section 102(a) of the
13 Family and Medical Leave Act of 1993 (29 U.S.C.
14 2612(a)) is amended by adding at the end the following:

15 “(3) ENTITLEMENT TO ADDITIONAL LEAVE FOR
16 PARENTAL INVOLVEMENT.—

17 “(A) IN GENERAL.—Subject to section
18 103(f), in addition to leave available under
19 paragraph (1), an eligible employee shall be en-
20 titled to a total of 4 hours of leave during any
21 30-day period, and a total of 24 hours of leave
22 during any 12-month period to participate in or
23 attend an activity that—

24 “(i) is sponsored by a school or com-
25 munity organization; and

1 “(ii) relates to a program of the
2 school or organization that is attended by
3 a son or daughter or a grandchild of the
4 employee.

5 “(B) DEFINITIONS.—As used in this para-
6 graph:

7 “(i) SCHOOL.—The term ‘school’
8 means an elementary school or secondary
9 school (as such terms are defined in the
10 Elementary and Secondary Education Act
11 of 1965 (20 U.S.C. 6301 et seq.)), a Head
12 Start program assisted under the Head
13 Start Act (42 U.S.C. 9831 et seq.), and a
14 child care facility licensed under State law.

15 “(ii) COMMUNITY ORGANIZATION.—
16 The term ‘community organization’ means
17 a private nonprofit organization that is
18 representative of a community or a signifi-
19 cant segment of a community and provides
20 activities for individuals described in sub-
21 paragraph (A) or (B) of section 101(12),
22 such as a scouting or sports organiza-
23 tion.”.

24 (b) SCHEDULE.—Section 102(b)(1) of such Act (29
25 U.S.C. 2612(b)(1)) is amended by inserting after the sec-

1 ond sentence the following: “Leave under subsection
2 (a)(3)(A) may be taken intermittently or on a reduced
3 leave schedule.”.

4 (c) SUBSTITUTION OF PAID LEAVE.—Section
5 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is
6 amended—

7 (1) by striking “under” and inserting the fol-
8 lowing: “under—

9 “(i)”; and

10 (2) inserting before the period at the end the
11 following: “; or

12 “(ii) subsection (a)(3)(A) for any part
13 of the 24-hour period of such leave under
14 such subsection”.

15 (d) NOTICE.—Section 102(e)(1) of such Act (29
16 U.S.C. 2612(e)(1)) is amended by adding at the end the
17 following: “In any case in which an employee requests
18 leave under subsection (a)(3)(A), the employee shall pro-
19 vide the employer with not less than 7 days’ notice, before
20 the date the leave is to begin, of the employee’s intention
21 to take leave under such subsection.”.

22 (e) CERTIFICATION.—Section 103 of such Act (29
23 U.S.C. 2613) is amended by adding at the end the fol-
24 lowing:

1 “(f) CERTIFICATION FOR PARENTAL INVOLVEMENT
 2 LEAVE.—An employer may require that a request for
 3 leave under section 102(a)(3)(A) be supported by a certifi-
 4 cation issued at such time and in such manner as the Sec-
 5 retary may by regulation prescribe.”.

6 **SEC. 4. PARENTAL INVOLVEMENT LEAVE FOR CIVIL SERV-**
 7 **ANTS.**

8 (a) LEAVE REQUIREMENT.—Section 6382(a) of title
 9 5, United States Code, is amended by adding at the end
 10 the following:

11 “(3)(A) Subject to section 6383(f), in addition to
 12 leave available under paragraph (1), an employee shall be
 13 entitled to a total of 4 hours of leave during any 30-day
 14 period, and a total of 24 hours of leave during any 12-
 15 month period to participate in or attend an activity that—

16 “(i) is sponsored by a school or community or-
 17 ganization; and

18 “(ii) relates to a program of the school or orga-
 19 nization that is attended by a son or daughter or a
 20 grandchild of the employee.

21 “(B) For the purpose of this paragraph:

22 “(i) The term ‘school’ means an elementary
 23 school or secondary school (as such terms are de-
 24 fined in the Elementary and Secondary Education
 25 Act of 1965 (20 U.S.C. 6301 et seq.)), a Head Start

1 program assisted under the Head Start Act (42
2 U.S.C. 9831 et seq.), and a child care facility li-
3 censed under State law.

4 “(ii) The term ‘community organization’ means
5 a private nonprofit organization that is representa-
6 tive of a community or a significant segment of a
7 community and provides activities for individuals de-
8 scribed in subparagraph (A) or (B) of section
9 6381(6), such as a scouting or sports organization.”.

10 (b) SCHEDULE.—Section 6382(b)(1) of such title is
11 amended by inserting after the second sentence the fol-
12 lowing: “Leave under subsection (a)(3)(A) may be taken
13 intermittently or on a reduced leave schedule.”.

14 (c) SUBSTITUTION OF PAID LEAVE.—Section
15 6382(d) of such title is amended by inserting before
16 “, except” the following: “, or for leave provided under
17 subsection (a)(3)(A) any of the employee’s accrued or ac-
18 cumulated annual leave under subchapter I for any part
19 of the 24-hour period of such leave under such sub-
20 section”.

21 (d) NOTICE.—Section 6382(e)(1) of such title is
22 amended by adding at the end the following: “In any case
23 in which an employee requests leave under subsection
24 (a)(3)(A), the employee shall provide the employing agen-
25 cy with not less than 7 days’ notice, before the date the

1 leave is to begin, of the employee’s intention to take leave
2 under such subsection.”.

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

5 “(f) An employing agency may require that a request
6 for leave under section 6382(a)(3)(A) be supported by a
7 certification issued at such time and in such manner as
8 the Office of Personnel Management may by regulation
9 prescribe.”.

10 **SEC. 5. CLARIFICATION OF LEAVE ENTITLEMENT.**

11 Section 102(a)(1) of the Family and Medical Leave
12 Act of 1993 (29 U.S.C. 2612(a)(1)) and section
13 6382(a)(1) of title 5, United States Code, are each amend-
14 ed by adding at the end the following:

15 “(E) In order to meet routine family med-
16 ical needs, including transportation of a son or
17 daughter or a grandchild for medical and dental
18 appointments for annual checkups and vaccina-
19 tions.

20 “(F) In order to meet the routine medical
21 care needs of elderly individuals who are related
22 to the eligible employee, including visits to
23 nursing homes and group homes.”.

1 **SEC. 6. DEFINITION OF GRANDCHILD.**

2 (a) NON-CIVIL-SERVICE EMPLOYEES.—Section 101
3 of the Family and Medical Leave Act (29 U.S.C. 2611)
4 is amended by adding at the end the following new para-
5 graph:

6 “(14) GRANDCHILD.—The term ‘grandchild’
7 means a son or daughter of an employee’s child.”.

8 (b) CIVIL SERVICE EMPLOYEES.—Section 6381 of
9 title 5, United States Code, is amended—

10 (1) in paragraph (5)(B), by striking “and” at
11 the end;

12 (2) in paragraph (6)(B), by striking the period
13 at the end and inserting “; and”; and

14 (3) by adding at the end the following new
15 paragraph:

16 “(7) the term ‘grandchild’ means a son or
17 daughter of an employee’s child.”.

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