

116TH CONGRESS
2D SESSION

H. R. 5838

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2020

Ms. WILSON of Florida introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Oversight and 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 and title 5, United States Code, to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Family Leave for Pa-
3 rental Involvement in Education Act”.

4 **SEC. 2. ENTITLEMENT TO ADDITIONAL LEAVE UNDER THE**
5 **FMLA FOR PARENTAL INVOLVEMENT AND**
6 **FAMILY WELLNESS.**

7 (a) **LEAVE REQUIREMENT.**—Section 102(a) of the
8 Family and Medical Leave Act of 1993 (29 U.S.C.
9 2612(a)) is amended by adding at the end the following
10 new paragraph:

11 “(6) **ENTITLEMENT TO ADDITIONAL LEAVE FOR**
12 **PARENTAL INVOLVEMENT.**—

13 “(A) **IN GENERAL.**—Subject to subpara-
14 graph (B) and section 103(g), an eligible em-
15 ployee shall be entitled to leave under this para-
16 graph to participate in or attend a school con-
17 ference or an activity that is sponsored by a
18 school or community organization and relates to
19 a program of the school or organization that is
20 attended by a son or daughter or a grandchild
21 of the employee.

22 “(B) **LIMITATIONS.**—

23 “(i) **IN GENERAL.**—An eligible em-
24 ployee is entitled to—

1 “(I) not to exceed 8 hours of
2 leave under this paragraph during any
3 30-day period; and

4 “(II) not to exceed 48 hours of
5 leave under this paragraph during any
6 12-month period.

7 “(ii) COORDINATION RULE.—Leave
8 under this paragraph shall be in addition
9 to any leave provided under any other
10 paragraph of this subsection.

11 “(C) 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 9101 of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C.
18 7801)), a Head Start program assisted
19 under the Head Start Act (42 U.S.C. 9831
20 et seq.), or a child care facility.

21 “(ii) COMMUNITY ORGANIZATION.—
22 The term ‘community organization’ means
23 a private nonprofit organization that is
24 representative of a community or a signifi-
25 cant segment of a community and provides

1 activities for individuals described in sub-
2 paragraph (A) or (B) of section 101(12),
3 such as a scouting or sports organiza-
4 tion.”.

5 (b) SCHEDULE.—Section 102(b)(1) of such Act (29
6 U.S.C. 2612(b)(1)) is amended by inserting after the third
7 sentence the following new sentence: “Leave under sub-
8 section (a)(6) may be taken intermittently or on a reduced
9 leave schedule.”.

10 (c) SUBSTITUTION OF PAID LEAVE.—Section
11 102(d)(2) of such Act (29 U.S.C. 2612(d)(2)) is amended
12 by adding at the end the following new subparagraph:

13 “(C) PARENTAL INVOLVEMENT LEAVE.—
14 An eligible employee may elect, or an employer
15 may require the employee, to substitute any of
16 the accrued paid vacation leave, personal leave,
17 or family leave of the employee for any leave
18 under subsection (a)(6). In addition, an eligible
19 employee may elect, or an employer may require
20 the employee, to substitute any of the accrued
21 paid medical or sick leave of the employee for
22 leave provided under clause (ii) of subsection
23 (a)(6)(A) for any part of the leave under such
24 clause, except that nothing in this title shall re-
25 quire an employer to provide paid sick leave or

1 paid medical leave in any situation in which
2 such employer would not normally provide any
3 such paid leave. If the employee elects or the
4 employer requires the substitution of accrued
5 paid leave for leave provided under subsection
6 (a)(6)(A), the employer shall not restrict or
7 limit this substitution or impose any additional
8 terms and conditions on such leave that are
9 more stringent on the employee than the terms
10 and conditions set forth in this Act.”.

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

14 “(4) NOTICE RELATING TO PARENTAL IN-
15 VOLVEMENT.—In any case in which an employee re-
16 quests leave under paragraph (6) of subsection (a),
17 the employee shall provide the employer with not
18 less than 7 days’ notice or as much notice as is prac-
19 ticable before the date the leave is to be taken, of
20 the employee’s intention to take leave under such
21 paragraph.”.

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 new subsection:

1 “(g) CERTIFICATION RELATED TO PARENTAL IN-
 2 VOLVEMENT.—An employer may require that a request for
 3 leave under section 102(a)(6) 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 (f) DEFINITION OF GRANDCHILD.—Section 101 of
 7 the Family and Medical Leave Act of 1993 (29 U.S.C.
 8 2611) is amended by adding at the end the following new
 9 paragraph:

10 “(20) GRANDCHILD.—The term ‘grandchild’
 11 means a son or daughter of an employee’s son or
 12 daughter.”.

13 **SEC. 3. ENTITLEMENT OF FEDERAL EMPLOYEES TO LEAVE**
 14 **FOR PARENTAL INVOLVEMENT.**

15 (a) LEAVE REQUIREMENT.—Section 6382(a) of title
 16 5, United States Code, is amended by adding at the end
 17 the following new paragraph:

18 “(5)(A) Subject to subparagraph (B)(i) and
 19 section 6383(f), an employee shall be entitled to
 20 leave under this paragraph to participate in or at-
 21 tend a school conference or an activity that is spon-
 22 sored by a school or community organization and re-
 23 lates to a program of the school or organization that
 24 is attended by a son or daughter or a grandchild of
 25 the employee.

1 “(B)(i) An employee is entitled to—

2 “(I) not to exceed 8 hours of leave under
3 this paragraph during any 30-day period; and

4 “(II) not to exceed 48 hours of leave under
5 this paragraph during any 12-month period.

6 “(ii) Leave under this paragraph shall be in ad-
7 dition to any leave provided under any other para-
8 graph of this subsection.

9 “(C) For the purpose of this paragraph—

10 “(i) the term ‘school’ means an elementary
11 school or secondary school (as such terms are
12 defined in section 9101 of the Elementary and
13 Secondary Education Act of 1965), a Head
14 Start program assisted under the Head Start
15 Act, and a child care facility licensed under
16 State law; and

17 “(ii) the term ‘community organization’
18 means a private nonprofit organization that is
19 representative of a community or a significant
20 segment of a community and provides activities
21 for individuals described in subparagraph (A)
22 or (B) of section 6381(6), such as a scouting
23 or sports organization.”.

24 (b) SCHEDULE.—Section 6382(b)(1) of such title is
25 amended—

1 (1) by inserting after the second sentence the
2 following new sentence: “Leave under subsection
3 (a)(5) may be taken intermittently or on a reduced
4 leave schedule.”; and

5 (2) in the last sentence, by striking “involved,”
6 and inserting “involved (or, in the case of leave
7 under subsection (a)(5), for purposes of any 30-day
8 or 12-month period),”.

9 (c) SUBSTITUTION OF PAID LEAVE.—Section
10 6382(d) of such title is amended—

11 (1) by inserting “(1)” after the subsection des-
12 ignation; and

13 (2) by adding at the end the following:

14 “(2) An employee may elect to substitute for
15 leave under subsection (a)(5), any of the employee’s
16 accrued or accumulated annual or sick leave under
17 subchapter I. If the employee elects to substitute ac-
18 cumulated annual or sick leave for leave provided
19 under subsection (a)(5), the employing agency shall
20 not restrict or limit this substitution or impose any
21 additional terms and conditions on such leave that
22 are more stringent on the employee than the terms
23 and conditions set forth in this subchapter.”.

24 (d) NOTICE.—Section 6382(e) of such title is amend-
25 ed by adding at the end the following new paragraph:

1 “(4) In any case in which an employee requests
2 leave under paragraph (5) of subsection (a), the em-
3 ployee shall provide the employing agency with not
4 less than 7 days’ notice, before the date the leave is
5 to be taken, of the employee’s intention to take leave
6 under such paragraph.”.

7 (e) CERTIFICATION.—Section 6383(f) of such title is
8 amended by striking “paragraph (1)(E) or (3) of section
9 6382(a)” and inserting “paragraph (1)(E), (3), or (5) of
10 section 6382(a)”.

11 (f) DEFINITION OF GRANDCHILD.—Section 6381 of
12 title 5, United States Code, is amended—

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

15 (2) in paragraph (12), by striking the period at
16 the end and inserting “; and”; and

17 (3) by adding at the end the following new
18 paragraph:

19 “(13) the term ‘grandchild’ means a son or
20 daughter of an employee’s son or daughter.”.

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