119TH CONGRESS
2D SESSION

S. _____

To provide paid family and medical leave to Federal employees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCHATZ (for himself, Mr. PADILLA, Mr. SANDERS, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Mr. HEINRICH, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide paid family and medical leave to Federal employees, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Comprehensive Paid Leave for Federal Employees Act''.

SEC. 2. PAID FAMILY AND MEDICAL LEAVE FOR FEDERAL EMPLOYEES COVERED BY TITLE 5.

Section 6382 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''12 administrative workweeks of leave'' and inserting ''12 administrative work weeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii)''; and

(ii) in subparagraph (B), by inserting ''and in order to care for such son or daughter'' before the period;

(B) by amending paragraph (2) to read as follows:

''(2)(A) The entitlement to leave under subparagraph (A) or (B) of paragraph (1) shall commence at time of birth or placement of a son or daughter and shall expire at the end of the 12-month period beginning on the date of such birth or placement.

''(B) Notwithstanding subparagraph (A), the entitlement to leave under paragraph (1)(B) in connection with adoption may commence prior to the placement of the son or daughter to be adopted for activities necessary to allow the adoption to proceed.''; and

(C) in paragraph (4)—

(i) by striking ''Subject to subsection (d)(2), during'' and inserting ''During''; and

(ii) by inserting ''(or 26 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''26 administrative workweeks of leave''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking the first sentence; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''subparagraph (A) or (B)'' and inserting ''subparagraphs (A) through (E)'';

(ii) by striking ''parental'' each place it appears;

(iii) in subparagraph (B)(i), by striking ''birth or placement involved'' and inserting ''event giving rise to such leave'';

(iv) by amending subparagraph (E) to read as follows:

''(E) Nothing in this paragraph shall be construed to modify the service requirement in section 6381(1)(B).'';

(v) in subparagraph (F)(i), by striking ''An employee'' and inserting ''With respect to leave described under subparagraph (A) or (B) of subsection (a)(1), an employee''; and

(vi) by adding at the end the following:

''(H) Notwithstanding paragraph (2)(B)(i), with respect to any employee who received paid leave for an event giving rise to such leave under any other provision of law and who becomes subject to this section during the period of eligibility for paid leave under this section with respect to such event, any paid leave for such event provided by this section shall be reduced by the total number of days of paid leave taken by such employee under such other provision of law.''.

SEC. 3. CONGRESSIONAL EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.

Section 202 of the Congressional Accountability Act of 1995 (2 U.S.C. 1312), is amended—

(1) in subsection (a)—

(A) paragraph (1)—

(i) in the second sentence—

(I) by striking ''subsection (a)(1)(A) or (B)'' and inserting

"under any of subparagraphs (A) through (E) of subsection (a)(1)"; and

(II) by inserting "and, in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section" before the period; and

(ii) by striking the third sentence and inserting the following: "For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under any of subparagraphs (A) through (E) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section."; and

(B) in paragraph (2), by amending subparagraph (B) to read as follows:

''(B) except for leave described under section 102(a)(3) of such Act, the term 'eligible employee' as used in that Act means a covered employee.''; and

(2) in subsection (d)—

(A) in the subsection heading, by striking ''PARENTAL LEAVE'' and inserting ''FAMILY AND MEDICAL LEAVE'';

(B) in paragraph (1), by striking ''subparagraph (A) or (B)'' and inserting ''any of subparagraphs (A) through (E)'';

(C) by striking ''parental'' each place the term appears; and

(D) in paragraph (2)(A), by striking ''birth or placement involved'' and inserting ''event giving rise to such leave''.

SEC. 4. GAO, LIBRARY OF CONGRESS, POSTAL SERVICE, AND POSTAL REGULATORY COMMISSION EMPLOYEES.

The Family and Medical Leave Act of 1993 is amended—

(1) in section 101(2)(E) (29 U.S.C. 2611(2)(E))—

(A) in the subparagraph heading, by inserting ", USPS, AND POSTAL REGULATORY COMMISSION" after "GAO";

(B) by inserting "the United States Postal Service, or the Postal Regulatory Commission," after "Government Accountability Office,"; and

(C) by striking "section 102(a)(1)(A) or (B)" and inserting "any of subparagraphs (A) through (E) of section 102(a)(1)"; and

(2) in section 102 (29 U.S.C. 2612)—

(A) by adding at the end of subsection (a) the following:

"(6) SPECIAL RULES ON PERIOD OF LEAVE.—With respect to an employee of the Government Accountability Office, the Library of Congress, the United States Postal Service, or the Postal Regulatory Commission—

"(A) in the case of leave that includes leave under subparagraph (A) through (E) of paragraph (1), the employee shall be entitled to 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Account-

ability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be;

''(B) for the purposes of paragraph (4), the employee is entitled, under paragraphs (1) and (3), to a combined total of 26 workweeks of leave plus, if applicable, any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be; and

''(C) the entitlement to leave under paragraph (1)(B) in connection with adoption may commence prior to the placement of the son or daughter to be adopted for activities necessary to allow the adoption to proceed.''; and

(B) in subsection (d)(3)—

(i) in the paragraph heading, by inserting '', USPS, AND POSTAL REGULATORY COMMISSION'' after ''GAO'';

(ii) by striking ''the Government Accountability Office'' and inserting ''the Government Accountability Office, the United States Postal Service, or the Postal Regulatory Commission'' each place the term appears;

(iii) by striking ''parental'' and inserting ''family and medical'' each place the term appears;

(iv) in subparagraph (A), by striking ''subparagraph (A) or (B)'' and inserting ''subparagraphs (A) through (E)''; and

(v) in subparagraph (B)(i), by striking ''birth or placement involved'' and inserting ''event giving rise to such leave''.

SEC. 5. EMPLOYEES OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Section 412 of title 3, United States Code, is amended—

(1) in subsection (a)(3), by striking ''subparagraph (A) or (B)'' and inserting ''subparagraphs (A) through (E)''; and

(2) in subsection (c), by striking ''subparagraph (A) or (B)'' and inserting ''subparagraphs (A) through (E)'' each place the term appears.

SEC. 6. FAA AND TSA EMPLOYEES.

Section 40122(g)(5) of title 49, United States Code, is amended—

(1) in the paragraph heading, by striking ''PARENTAL''; and

(2) by striking ''parental'' each place it appears.

SEC. 7. TITLE 38 EMPLOYEES.

Not later than 30 days after the date of enactment of this Act, the Secretary of Veterans Affairs shall modify the family and medical leave program provided by operation of section 7425(c) of title 38, United States Code, to conform with this Act and the amendments made by this Act.

SEC. 8. DISTRICT OF COLUMBIA COURTS AND DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.

(a) DISTRICT OF COLUMBIA COURTS.—Subsection (d) of section 11–1726, District of Columbia Official Code, is amended to read as follows:

''(d)(1) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to nonjudicial employees of the District of Columbia courts, the Joint Committee shall, notwithstanding any provision of such Act, establish a paid family and medical leave program for the leave described in subparagraphs (A) through (E) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)).

''(2) In developing the terms and conditions for the paid family and medical leave program under paragraph (1), the Joint Committee may be guided by the terms and

conditions applicable to the provision of paid family and medical leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(b) DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—Subsection (d) of section 305 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1605, D.C. Official Code) is amended to read as follows:

''(d)(1) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to employees of the Service, the Director shall, notwithstanding any provision of such Act, establish a paid family and medical leave program for the leave described in subparagraphs (A) through (E) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)).

''(2) In developing the terms and conditions for the paid family and medical leave program under paragraph (1), the Director may be guided by the terms and conditions applicable to the provision of paid family and medical leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.