

110TH CONGRESS  
1ST SESSION

# S. 2059

To amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2007

Mrs. CLINTON (for herself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

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 “Airline Flight Crew  
5 Technical Corrections Act”.

1 **SEC. 2. LEAVE REQUIREMENTS FOR AIRLINE FLIGHT**  
2 **CREWS.**

3 Section 101(2) of the Family and Medical Leave Act  
4 of 1993 (29 U.S.C. 2611(2)) is amended by adding at the  
5 end the following:

6 “(D) AIRLINE FLIGHT CREWS.—

7 “(i) DETERMINATION.—For purposes  
8 of determining whether an employee who is  
9 a flight attendant or flight crewmember  
10 meets the hours of service requirement  
11 specified in subparagraph (A)(ii), the em-  
12 ployee will be considered to have met the  
13 requirement if the employee has been paid  
14 for at least 60 percent or has worked at  
15 least 60 percent of the employer’s monthly  
16 hour or trip guarantee, or the equivalent,  
17 annualized over the previous 12-month pe-  
18 riod.

19 “(ii) DEFINITIONS.—In this subpara-  
20 graph:

21 “(I) EMPLOYER’S MONTHLY  
22 HOUR OR TRIP GUARANTEE.—The  
23 term ‘employer’s monthly hour or trip  
24 guarantee’ means the number of  
25 hours for which an employer has  
26 agreed to pay the employee described

1 in clause (i) for any given month, re-  
2 gardless of the actual number of  
3 hours worked.

4 “(II) FLIGHT ATTENDANT.—The  
5 term ‘flight attendant’ means a flight  
6 attendant within the meaning of sec-  
7 tion 121.391 of title 14, Code of Fed-  
8 eral Regulations (or any cor-  
9 responding similar regulation or rul-  
10 ing).

11 “(III) FLIGHT CREWMEMBER.—  
12 The term ‘flight crewmember’ has the  
13 meaning given the term ‘flightcrew  
14 member’ in section 1.1 of such title  
15 14 (or any corresponding similar reg-  
16 ulation or ruling).”.

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