

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.

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## 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

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## 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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