

H.R. 8

IN THE HOUSE OF REPRESENTATIVES

March 18th, 2023

Ms. BERRY (for herself, Mr. HARRIS-CHAREST, Ms. MOCTEZUMA,
Mr. O’CONNOR, Mr. CARTER, Mr. BARRASSO, Ms.
HEINALUOMA, and Mr. LILBURNE) introduced the following bill;

A BILL

To amend the Family and Medical Leave Act to expand employees eligible for leave and employers subject to leave requirements, and for other purposes.

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

SEC. 1. SHORT TITLE.

This Act may be cited as the “Job Leave Protection Act”.

SEC. 2. EXPANSION OF EMPLOYEES ELIGIBLE FOR FAMILY AND MEDICAL LEAVE.

(a) IN GENERAL. —Section 101(2) of the Family and Medical Leave Act of 1993 ([29 U.S.C. 2611\(2\)](#)) is amended—

- (1) in subparagraph (A), by striking “employed—” and all that follows through the end of the subparagraph and inserting “employed for at least 90 days by the employer with respect to whom leave is requested under section 102.”;
- (2) in subparagraph (B), by striking “does not include—” and all that follows through the end of the subparagraph and inserting “does not include any Federal officer or employee covered under subchapter V of [chapter 63](#) of title 5, United States Code (as added by title II of this Act).”;
- (3) by striking subparagraphs (C) and (D); and
- (4) (4) by redesignating subparagraph (E) as subparagraph (C).

(b) Federal Employees.—

(1) IN GENERAL.—Title 5, United States Code, is amended—

(A) in section 6381(1)(B), by striking “12 months” and inserting “90 days”;
and

(B) in section 6382(d)(2)(E), by striking “12 months” and inserting “90 days”.

(2) PRESIDENTIAL EMPLOYEES.—Section 412(a)(2)(B) of title 3, United States Code, is amended by striking “12 months and for at least 1,250 hours of employment during the previous 12 months” and inserting “90 days”.

(3) CONGRESSIONAL EMPLOYEES.—Section 202(a)(2)(B) of the Congressional Accountability Act of 1995 ([2 U.S.C. 1312\(a\)\(2\)\(B\)](#)) is amended by striking “12 months and for at least 1,250 hours of employment during the previous 12 months” and inserting “90 days”.

SEC. 3. EXPANSION OF EMPLOYERS SUBJECT TO LEAVE REQUIREMENTS.

(a) Section 101(4)(A)(i) of such Act ([29 U.S.C. 2611\(4\)\(A\)\(i\)](#)) is amended by striking “50 or more employees” and all that follows through the end of the clause and inserting “25 or more employees through January 1, 2027, after which this section shall apply to businesses with 2 or more employees;”.

SEC. 4. ENACTMENT.

EFFECTIVE DATE.— The provisions of this Act shall come into force immediately upon passage.
