

Introduction Of Family And Medical Insurance Leave Act

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Late last week, Democratic lawmakers introduced the Family and Medical Insurance Leave Act (FAMILY Act), which would create a national paid family and medical insurance leave program funded by both employee and employer contributions as well as eliminating eligibility requirements currently under the Family and Medical Leave Act (FMLA).

The FMLA allows an eligible employee to take up to 12 weeks of protected, unpaid leave to care for the birth or adoption of a child, the serious illness for an immediate family member, or the employee's own serious health condition. Specifically, the FMLA only applies to employers with 50 or more employees within a 75-mile radius. Also, under the FMLA, such leave is available only to employees who have worked for the same employer for 12 months and worked at least 1,250 hours or more in the prior year.

The FAMILY Act would eliminate these eligibility requirements of the FMLA and, instead, extend this leave to every employee regardless of the size of his or her employer and regardless of length of employment. Additionally, the FAMILY Act only would require that the person had "sufficient earnings and work history" to be eligible for leave.

In addition to the elimination of the FMLA's eligibility requirements, the FAMILY Act provides for up to 12 weeks of paid leave each year to those employees for one of the qualifying reasons under the FMLA. Under the FAMILY Act, qualified employees could collect benefits up to 66 percent of their monthly wages, which would be capped.

According to the bill, this paid leave would be funded by an independent trust fund within the Social Security Administration. The trust would be funded by employee and employer contributions of 0.2 percent of wages.

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