

114TH CONGRESS
2D SESSION

H. R. 5519

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2016

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. SCOTT of Virginia, Ms. WILSON of Florida, Ms. SCHAKOWSKY, Ms. LEE, Mr. NADLER, and Mr. JEFFRIES) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on House Administration and Oversight and Government Reform, 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

A BILL

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition, 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 and Medical
3 Leave Inclusion Act”.

4 **SEC. 2. LEAVE TO CARE FOR A DOMESTIC PARTNER, PAR-**
5 **ENT-IN-LAW, ADULT CHILD, SIBLING, GRAND-**
6 **PARENT, GRANDCHILD, OR OTHER INDI-**
7 **VIDUAL RELATED BY BLOOD OR AFFINITY.**

8 (a) DEFINITIONS.—

9 (1) INCLUSION OF GRANDPARENTS, GRAND-
10 CHILDREN, PARENTS-IN-LAW, SIBLINGS, AND DO-
11 MESTIC PARTNERS.—Section 101 of such Act is fur-
12 ther amended by adding at the end the following:

13 “(20) DOMESTIC PARTNER.—The term ‘domes-
14 tic partner’ means—

15 “(A) the person recognized as the domestic
16 partner of the employee under any domestic
17 partner registry or civil union laws of the State
18 or political subdivision of a State; or

19 “(B) in the case of an unmarried em-
20 ployee, an unmarried adult person who is in a
21 committed, personal relationship with the em-
22 ployee, is not a domestic partner to any other
23 person, and who is designated to the employer
24 by such employee as that employee’s domestic
25 partner.

1 “(21) GRANDCHILD.—The term ‘grandchild’
2 means the son or daughter of an employee’s son or
3 daughter.

4 “(22) GRANDPARENT.—The term ‘grandparent’
5 means a parent of a parent of an employee.

6 “(23) PARENT-IN-LAW.—The term ‘parent-in-
7 law’ means a parent of the spouse or domestic part-
8 ner of an employee.

9 “(24) SIBLING.—The term ‘sibling’ means any
10 person who is a son or daughter of an employee’s
11 parent.

12 “(25) SON-IN-LAW AND DAUGHTER-IN-LAW.—
13 The terms ‘son-in-law’ and ‘daughter-in-law’, used
14 with respect to an employee, means any person who
15 is a spouse or domestic partner of a son or daughter
16 of the employee.”.

17 (2) INCLUSION OF ADULT CHILDREN AND CHIL-
18 DREN OF A DOMESTIC PARTNER.—Section 101(12)
19 of such Act (29 U.S.C. 2611(12)) is amended—

20 (A) by inserting “a child of an individual’s
21 domestic partner,” after “a legal ward,”; and

22 (B) by striking “who is—” and all that
23 follows and inserting “and includes an adult
24 child”.

1 (b) LEAVE REQUIREMENT.—Section 102 of the Fam-
2 ily and Medical Leave Act of 1993 (29 U.S.C. 2612) is
3 amended—

4 (1) in subsection (a)(1)(C), by striking “spouse,
5 or a son, daughter, or parent of the employee, if
6 such spouse, son, daughter, or parent” and inserting
7 “spouse or domestic partner, or a son, daughter,
8 parent, parent-in-law, grandparent, grandchild, or
9 sibling, of the employee, or any other individual re-
10 lated by blood or affinity whose close association
11 with the employee is the equivalent of a family rela-
12 tionship, if such spouse, domestic partner, son,
13 daughter, parent, parent-in-law, grandparent, grand-
14 child, sibling, or such other individual”;

15 (2) in subsection (a)(1)(E), by striking “spouse,
16 or a son, daughter, or parent of the employee” and
17 inserting “spouse or domestic partner, or a son,
18 daughter, parent, parent-in-law, grandchild, or sib-
19 ling of the employee, or any other individual related
20 by blood or affinity whose close association with the
21 employee is the equivalent of a family relationship”;

22 (3) in subsection (a)(3), by striking “spouse,
23 son, daughter, parent, or next of kin of a covered
24 servicemember” and inserting “spouse or domestic
25 partner, son, daughter, son-in-law, daughter-in-law,

1 parent, parent-in-law, grandparent, or sibling, or
2 next of kin of a covered servicemember, or any other
3 individual related by blood or affinity to a covered
4 servicemember who close association with such serv-
5 icemember is the equivalent of a family relation-
6 ship”;

7 (4) in subsection (e)(2)(A), by striking “spouse,
8 parent, or covered servicemember of the employee”
9 and inserting “spouse or domestic partner, parent,
10 parent-in-law, grandparent, grandchild, sibling, or
11 covered servicemember of the employee, or any other
12 individual related by blood or affinity whose close as-
13 sociation with the employee is the equivalent of a
14 family relationship”;

15 (5) in subsection (e)(3), by striking “spouse, or
16 a son, daughter, or parent, of the employee” and in-
17 sserting “spouse or domestic partner, or a son,
18 daughter, parent, parent-in-law, grandchild, or sib-
19 ling, of the employee, or any other individual related
20 by blood or affinity whose close association with the
21 employee is the equivalent of a family relationship”;
22 and

23 (6) in subsection (f)—

1 (A) in the matter preceding subparagraph
2 (A), by inserting “or domestic partners” after
3 “husband and wife”; and

4 (B) in subparagraph (B), by inserting “or
5 parent-in-law” after “parent”.

6 (c) CERTIFICATION.—Section 103 of the Family and
7 Medical Leave Act of 1993 (29 U.S.C. 2613) is amend-
8 ed—

9 (1) in subsection (a), by striking “spouse, or
10 parent of the employee, or of the next of kin of an
11 individual in the case of leave taken under such
12 paragraph (3), as appropriate” and inserting
13 “spouse or domestic partner, parent, parent-in-law,
14 grandparent, grandchild, or sibling of the employee,
15 or of the next of kin of an individual in the case of
16 leave taken under such paragraph (3), as appro-
17 priate, or any other individual related by blood or af-
18 finity whose close association with the employee is
19 the equivalent of a family relationship”;

20 (2) in subsection (b)(4)(A), by striking “spouse,
21 or parent and an estimate of the amount of time
22 that such employee is needed to care for the son,
23 daughter, spouse, or parent” and inserting “spouse
24 or domestic partner, parent, parent-in-law, grand-
25 parent, grandchild, sibling, or any other individual

1 related by blood or affinity whose close association
2 with the employee is the equivalent of a family rela-
3 tionship and an estimate of the amount of time that
4 such employee is needed to care for such son, daugh-
5 ter, spouse or domestic partner, parent, parent-in-
6 law, grandparent, sibling, or such other individual”;
7 and

8 (3) in subsection (b)(7), by striking “parent, or
9 spouse” and inserting “spouse or domestic partner,
10 parent, parent-in-law, grandparent, grandchild, sib-
11 ling, or any other individual related by blood or af-
12 finity whose close association with the employee is
13 the equivalent of a family relationship”.

14 (d) EMPLOYMENT AND BENEFITS PROTECTION.—
15 Section 104(c)(3) of the Family and Medical Leave Act
16 of 1993 (29 U.S.C. 2614(c)(3)) is amended—

17 (1) in subparagraph (A)(i), by striking “spouse,
18 or parent” and inserting “spouse or domestic part-
19 ner, parent, parent-in-law, grandparent, grandchild,
20 sibling, or any other individual related by blood or
21 affinity whose close association with the employee is
22 the equivalent of a family relationship”; and

23 (2) in subparagraph (C)(ii), by striking
24 “spouse, or parent” and inserting “spouse or domes-
25 tic partner, parent, parent-in-law, grandparent,

1 grandchild, sibling, or any other individual related
2 by blood or affinity whose close association with the
3 employee is the equivalent of a family relationship”.

4 **SEC. 3. FEDERAL EMPLOYEES.**

5 (a) DEFINITIONS.—

6 (1) INCLUSION OF DOMESTIC PARTNERS, PAR-
7 ENTS-IN-LAW, ADULT CHILDREN, SIBLINGS, GRAND-
8 PARENTS, GRANDCHILDREN, OR OTHER INDIVIDUALS
9 RELATED BY BLOOD OR AFFINITY.—Section 6381 of
10 title 5, United States Code, is amended—

11 (A) in paragraph (11) by striking “; and”
12 and inserting a semicolon;

13 (B) in paragraph (12), by striking the pe-
14 riod and inserting a semicolon; and

15 (C) by adding at the end the following:

16 “(13) the term ‘domestic partner’ means—

17 “(A) the person recognized as the domestic
18 partner of the employee under any domestic
19 partner registry or civil union laws of the State
20 or political subdivision of a State; or

21 “(B) in the case of an unmarried em-
22 ployee, an unmarried adult person who is in a
23 committed, personal relationship with the em-
24 ployee, is not a domestic partner to any other
25 person, and who is designated to the employing

1 agency by such employee as that employee's do-
2 mestic partner;

3 "(14) the term 'parent-in-law' means a parent
4 of the spouse or domestic partner of an employee;

5 "(15) the term 'grandchild' means the son or
6 daughter of an employee's son or daughter;

7 "(16) the term 'grandparent' means a parent of
8 a parent of an employee;

9 "(17) the term 'sibling' means any person who
10 is a son or daughter of an employee's parent; and

11 "(18) the terms 'son-in-law and daughter-in-
12 law', used with respect to an employee, means any
13 person who is a spouse or domestic partner of a son
14 or daughter of the employee."

15 (2) INCLUSION OF ADULT CHILDREN AND CHIL-
16 DREN OF A DOMESTIC PARTNER.—Section 6381(6)
17 of such title is amended—

18 (A) by inserting "a child of an individual's
19 domestic partner," after "a legal ward,"; and

20 (B) by striking "who is—" and all that
21 follows and inserting "and includes an adult
22 child".

23 (b) LEAVE REQUIREMENT.—Section 6382 of title 5,
24 United States Code, is amended—

1 (1) in subsection (a)(1)(C), by striking “spouse,
2 or a son, daughter, or parent of the employee, if
3 such spouse, son, daughter, or parent” and inserting
4 “spouse or domestic partner, or a son, daughter,
5 parent, parent-in-law, grandparent, grandchild, or
6 sibling, of the employee, or any other individual re-
7 lated by blood or affinity whose close association
8 with the employee is the equivalent of a family rela-
9 tionship, if such spouse, domestic partner, son,
10 daughter, parent, parent-in-law, grandparent, grand-
11 child, sibling, or such other individual”;

12 (2) in subsection (a)(1)(E), by striking “spouse,
13 or a son, daughter, or parent” and inserting “spouse
14 or domestic partner, or a son, daughter, parent, par-
15 ent-in-law, grandchild, sibling, or any other indi-
16 vidual related by blood or affinity whose close asso-
17 ciation with the employee is the equivalent of a fam-
18 ily relationship”;

19 (3) in subsection (a)(3), by striking “spouse,
20 son, daughter, parent,” and inserting “spouse or do-
21 mestic partner, son, daughter, son-in-law, daughter-
22 in-law, parent, parent-in-law, grandparent, sibling,
23 or any other individual related by blood or affinity
24 whose close association with the employee is the
25 equivalent of a family relationship,”;

1 (4) in subsection (e)(2)(A), by striking “spouse,
2 parent,” and inserting “spouse or domestic partner,
3 parent, parent-in-law, grandparent, grandchild, sib-
4 ling, or any other individual related by blood or af-
5 finity whose close association with the employee is
6 the equivalent of a family relationship,”; and

7 (5) in subsection (e)(3), by striking “spouse, or
8 a son, daughter, or parent,” and inserting “spouse
9 or domestic partner, or a son, daughter, parent, par-
10 ent-in-law, grandchild, sibling, or any other indi-
11 vidual related by blood or affinity whose close asso-
12 ciation with the employee is the equivalent of a fam-
13 ily relationship,”.

14 (c) CERTIFICATION.—Section 6383 of title 5, United
15 States Code, is amended—

16 (1) in subsection (a), by striking “spouse, or
17 parent” and inserting “spouse or domestic partner,
18 parent, parent-in-law, grandparent, grandchild, sib-
19 ling, or any other individual related by blood or af-
20 finity whose close association with the employee is
21 the equivalent of a family relationship,”; and

22 (2) in subsection (b)(4)(A), by striking “spouse,
23 or parent, and an estimate of the amount of time
24 that such employee is needed to care for such son,
25 daughter, spouse, or parent” and inserting “spouse

1 or domestic partner, parent, parent-in-law, grand-
2 parent, grandchild, sibling, or any other individual
3 related by blood or affinity whose close association
4 with the employee is the equivalent of a family rela-
5 tionship and an estimate of the amount of time that
6 such employee is needed to care for such son, daugh-
7 ter, spouse or domestic partner, parent, parent-in-
8 law, grandparent, grandchild, sibling, or such other
9 individual”.

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