

116TH CONGRESS
2D SESSION

H. R. 8457

To restore leave lost by Federal employees during certain public health emergencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2020

Mr. KILMER (for himself, Ms. WEXTON, Mr. BEYER, Mr. CASE, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on House Administration, and the Judiciary, 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 restore leave lost by Federal employees during certain public health emergencies, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Worker Leave
5 Fairness Act of 2020”.

6 **SEC. 2. RESTORATION OF LEAVE.**

7 (a) DEFINITIONS.—In this section—

1 (1) the term “agency” means each agency, of-
2 fice, or other establishment in the executive, legisla-
3 tive, or judicial branch of the Federal Government,
4 including—

5 (A) the Federal Aviation Administration;

6 (B) the Transportation Security Adminis-
7 tration;

8 (C) the Department of Veterans Affairs;

9 (D) the United States Postal Service;

10 (E) the Postal Regulatory Commission;

11 (F) the Library of Congress; and

12 (G) the Government Accountability Office;

13 and

14 (2) the term “employee”—

15 (A) means an employee of an agency; and

16 (B) includes—

17 (i) a covered employee, as that term is
18 defined in section 101 of the Congressional
19 Accountability Act of 1995 (2 U.S.C.
20 1301), other than an applicant for employ-
21 ment;

22 (ii) a covered employee, as that term
23 is defined in section 411(c) of title 3,
24 United States Code;

1 (iii) an employee of the Department of
2 Veterans Affairs, including an employee
3 appointed under chapter 74 of title 38,
4 United States Code, without regard to
5 whether section 7421(a) of that title, sec-
6 tion 7425(b) of that title, or any other pro-
7 vision of chapter 74 of that title is incon-
8 sistent with that inclusion;

9 (iv) an employee of the Transpor-
10 tation Security Administration, including
11 an employee under section 111(d) of the
12 Aviation and Transportation Security Act
13 (49 U.S.C. 44935 note);

14 (v) a Foreign Service officer;

15 (vi) an employee of the Diplomatic Se-
16 curity Service of the Department of State;
17 and

18 (vii) any other individual occupying a
19 position in the civil service, as that term is
20 defined in section 2101(1) of title 5,
21 United States Code.

22 (b) RESTORATION OF LEAVE.—Any leave lost by an
23 employee during a pandemic declared to be a nationwide
24 public health emergency under section 319 of the Public
25 Health Service Act (42 U.S.C. 247d) because the amount

1 of the leave accumulated by the employee would have been
2 in excess of the maximum amount that may be accumu-
3 lated by the employee under any provision of law or policy
4 (including under section 6304 of title 5, United States
5 Code) shall be restored to the employee.

6 (c) APPLICABILITY.—Subsection (b) shall apply to
7 any leave lost on or after the date of enactment of this
8 Act.

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