

118TH CONGRESS
2D SESSION

H. R. 10405

To amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2024

Mr. SCHNEIDER (for himself, Mr. BEYER, and Mr. CASTEN) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Accountability, 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

A BILL

To amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter, 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 “Parental Bereavement
5 Act of 2024” or the “Sarah Grace-Farley-Kluger Act”.

1 **SEC. 2. FAMILY LEAVE BECAUSE OF THE DEATH OF A SON**
 2 **OR DAUGHTER.**

3 (a) SON OR DAUGHTER.—Section 101(12) of the
 4 Family and Medical Leave Act of 1993 (29 U.S.C.
 5 2611(12)) is amended by—

6 (1) redesignating subparagraphs (A) and (B) as
 7 clauses (i) and (ii), respectively;

8 (2) by striking “, who is—” and inserting the
 9 following:

10 “(A) who is—”; and

11 (3) in clause (ii), as so redesignated, by striking
 12 the period at the end and inserting “; or

13 “(B) with respect to leave taken under sec-
 14 tion 102(a)(1)(G), who is any years of age.”.

15 (b) FAMILY LEAVE.—

16 (1) ENTITLEMENT TO LEAVE.—Section
 17 102(a)(1) of the Family and Medical Leave Act of
 18 1993 (29 U.S.C. 2612(a)(1)) is amended by adding
 19 at the end the following new subparagraph:

20 “(G) Because of the death of a son or
 21 daughter.”.

22 (2) EXPIRATION OF ENTITLEMENT.—Section
 23 102(a)(2) of such Act (29 U.S.C. 2612(a)(2)) is
 24 amended—

25 (A) by striking “under subparagraphs”
 26 and inserting “under—

1 “(A) subparagraphs”;

2 (B) in subparagraph (A), as so redesign-
3 nated, by striking the period at the end and in-
4 serting “; and

5 “(B) subparagraph (G) of paragraph (1)
6 for a death of a son or daughter shall expire at
7 the end of the 12-month period beginning on
8 the date of such death.”.

9 (3) REQUIREMENTS RELATING TO LEAVE.—

10 (A) SCHEDULE.—Section 102(b)(1) of
11 such Act (29 U.S.C. 2612(b)(1)) is amended by
12 inserting after the third sentence the following
13 new sentence: “Leave under subsection
14 (a)(1)(G) shall not be taken by an employee
15 intermittently or on a reduced leave schedule
16 unless the employee and the employer of the
17 employee agree otherwise.”.

18 (B) SUBSTITUTION OF PAID LEAVE.—Sec-
19 tion 102(d)(2)(B) of such Act (29 U.S.C.
20 2612(d)(2)(B)) is amended, in the first sen-
21 tence, by striking “(C) or (D)” and inserting
22 “(C), (D), or (G)”.

23 (C) NOTICE.—Section 102(e) of such Act
24 (29 U.S.C. 2612(e)) is amended by adding at
25 the end the following new paragraph:

1 “(4) NOTICE FOR LEAVE DUE TO DEATH OF A
2 SON OR DAUGHTER.—In any case in which the ne-
3 cessity for leave under subsection (a)(1)(G) is fore-
4 seeable, the employee shall provide such notice to the
5 employer as is reasonable and practicable.”.

6 (D) SPOUSES EMPLOYED BY SAME EM-
7 PLOYER.—Section 102(f)(1)(A) of such Act (29
8 U.S.C. 2612(f)(1)(A)) is amended by striking
9 “subparagraph (A) or (B)” and inserting “sub-
10 paragraph (A), (B), or (G)”.

11 (E) CERTIFICATION REQUIREMENTS.—
12 Section 103 of such Act (29 U.S.C. 2613) is
13 amended by adding at the end the following:

14 “(g) CERTIFICATION RELATED TO THE DEATH OF
15 A SON OR DAUGHTER.—An employer may require that a
16 request for leave under section 102(a)(1)(G) be supported
17 by a certification issued at such time and in such manner
18 as the Secretary may by regulation prescribe. If the Sec-
19 retary issues a regulation requiring such certification, the
20 employee shall provide, in a timely manner, a copy of such
21 certification to the employer.”.

22 (F) FAILURE TO RETURN FROM LEAVE.—
23 Section 104(c) of such Act (29 U.S.C. 2614(c))
24 is amended—

1 (i) in paragraph (2)(B)(i), by insert-
2 ing before the semicolon the following: “,
3 or a death that entitles the employee to
4 leave under section 102(a)(1)(G)”; and

5 (ii) in paragraph (3)(A)—

6 (I) in the matter preceding clause
7 (i), by inserting “, or the death,” be-
8 fore “described”;

9 (II) in clause (ii), by striking
10 “or” at the end;

11 (III) by redesignating clause (iii)
12 as clause (iv); and

13 (IV) by inserting after clause (ii)
14 the following:

15 “(iii) a certification that meets such
16 requirements as the Secretary may by reg-
17 ulation prescribe, in the case of an em-
18 ployee unable to return to work because of
19 a death specified in section 102(a)(1)(G);
20 or”.

21 (G) EMPLOYEES OF LOCAL EDUCATIONAL
22 AGENCIES.—Section 108 of such Act (29
23 U.S.C. 2618) is amended—

24 (i) in subsection (c)(1)—

1 (I) in the matter preceding sub-
 2 paragraph (A), by inserting after
 3 “medical treatment” the following: “,
 4 or under section 102(a)(1)(G) that is
 5 foreseeable,”; and

6 (II) in subparagraph (A), by in-
 7 serting after “to exceed” the fol-
 8 lowing: “(except in the case of leave
 9 under section 102(a)(1)(G))”;

10 (ii) in subsection (c)(2), by striking
 11 “section 102(e)(2)” and inserting “para-
 12 graphs (2) and (4) of section 102(e), as
 13 applicable”; and

14 (iii) in subsection (d), in paragraph
 15 (2) and (3), by striking “or (C)” each
 16 place it appears and inserting “(C), or
 17 (G)”.

18 (c) FAMILY LEAVE FOR CIVIL SERVICE EMPLOY-
 19 EES.—

20 (1) SON OR DAUGHTER.—Section 6381(6) of
 21 title 5, United States Code, is amended—

22 (A) by redesignating subparagraphs (A)
 23 and (B) as clauses (i) and (ii), respectively;

24 (B) by striking “, who is—” and inserting
 25 the following:

1 “(A) who is—”; and

2 (C) in clause (ii), as so redesignated, by
3 striking “disability;” and inserting “disability;
4 or

5 “(B) with respect to leave taken under sec-
6 tion 6382(a)(1)(F), who is any years of age;”.

7 (2) ENTITLEMENT TO LEAVE.—Section
8 6382(a)(1) of such title is amended by adding at the
9 end the following:

10 “(F) Because of the death of a son or
11 daughter.”.

12 (3) EXPIRATION OF LEAVE.—Section
13 6382(a)(2) of such title is amended by—

14 (A) striking “under subparagraph” and in-
15 serting “under—

16 “(A) subparagraph”; and

17 (B) in subparagraph (A), as so redesign-
18 nated, by striking the period at the end and in-
19 serting “; or

20 “(B) subparagraph (F) of paragraph (1)
21 for a death of a son or daughter shall expire at
22 the end of the 12-month period beginning on
23 the date of such death.”.

24 (4) REQUIREMENTS RELATING TO LEAVE.—

1 (A) SCHEDULE.—Section 6382(b)(1) of
2 such title is amended by inserting after the
3 third sentence the following new sentence:
4 “Leave under subsection (a)(1)(F) shall not be
5 taken by an employee intermittently or on a re-
6 duced leave schedule unless the employee and
7 the employing agency of the employee agree
8 otherwise.”.

9 (B) SUBSTITUTION OF PAID LEAVE.—Sec-
10 tion 6382(d) of such title is amended, in the
11 first sentence, by striking “or (E)” and insert-
12 ing “(E), or (F)”.

13 (C) NOTICE.—Section 6382(e) of such title
14 is amended by adding at the end the following
15 new paragraph:

16 “(4) In any case in which the necessity for
17 leave under subsection (a)(1)(F) is foreseeable, the
18 employee shall provide such notice to the employing
19 agency as is reasonable and practicable.”.

20 (D) CERTIFICATION REQUIREMENTS.—
21 Section 6383 of such title is amended by adding
22 at the end the following:

23 “(g) An employing agency may require that a request
24 for leave under section 6382(a)(1)(F) be supported by a
25 certification issued at such time and in such manner as

1 the Office of Personnel Management may by regulation
2 prescribe. If the Office issues a regulation requiring such
3 certification, the employee shall provide, in a timely man-
4 ner, a copy of such certification to the employer.”.

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