

S 1810

Family and Medical Insurance Leave Act of 2013

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Dec 12, 2013

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Dec 12, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/1810>

Sponsor

Name: Sen. Gillibrand, Kirsten E. [D-NY]

Party: Democratic • **State:** NY • **Chamber:** Senate

Cosponsors (6 total)

| Cosponsor | Party / State | Role | Date Joined |
|----------------------------------|---------------|------|--------------|
| Sen. Schatz, Brian [D-HI] | D · HI | | Dec 16, 2013 |
| Sen. Mikulski, Barbara A. [D-MD] | D · MD | | Jan 7, 2014 |
| Sen. Booker, Cory A. [D-NJ] | D · NJ | | Jan 27, 2014 |
| Sen. Hirono, Mazie K. [D-HI] | D · HI | | Mar 25, 2014 |
| Sen. Harkin, Tom [D-IA] | D · IA | | Jun 17, 2014 |
| Sen. Merkley, Jeff [D-OR] | D · OR | | Jul 16, 2014 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------|---------|-------------|--------------|
| Finance Committee | Senate | Referred To | Dec 12, 2013 |

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|---|
| 113 HR 3712 | Identical bill | Dec 12, 2013: Referred to the House Committee on Ways and Means. |

Family and Medical Insurance Leave Act of 2013 - Establishes the Office of Paid Family and Medical Leave within the Social Security Administration (SSA), to be headed by the Deputy Commissioner of SSA.

Entitles every individual to a family and medical leave insurance (FMLI) benefit payment for each month beginning on the first day of the first month in which the individual meets the criteria specified below and ending 365 days later (benefit period), not to exceed 60 qualified caregiving days per period. Qualifies for such a benefit payment any individual who:

1. is insured for disability insurance benefits under the Social Security Act at the time his or her application is filed;
2. has earned income from employment during the 12 months before filing it;
3. has filed an application for a FMLI benefit in accordance with this Act; and
4. was engaged in qualified caregiving, or anticipates being so engaged, during the 90-day period before the application is filed or within 30 days after.

Defines "qualified caregiving" as any activity engaged in by an individual, other than regular employment, for a reason for which an eligible employee would be entitled to leave under the Family and Medical Leave Act of 1993 (FMLA).

Prescribes a formula for determination of an individual's monthly FMLI benefit payment, as well as for the maximum and the minimum monthly benefit amounts.

Requires a FMLI benefit payment to be coordinated with any periodic benefits received from temporary disability insurance or family leave insurance programs under any state law or plan, local government, or an instrumentality of two or more states.

Prescribes criteria that makes an individual ineligible for a FMLI benefit payment.

Specifies prohibited acts by an employer, and penalties for violations.

Establishes the Federal Family and Medical Leave Insurance Trust Fund in the Treasury. Requires FMLI benefit payments to be made only from this Fund.

Prohibits the use of amounts from the Social Security Trust Fund or appropriated to the SSA to administer Social Security programs for FMLI benefits or administration.

Amends the Internal Revenue Code to impose a tax on every individual and employer, all self-employment income, and every railroad employee, employee representative, or railroad employer to finance the Federal Family and Medical Leave Insurance Trust Fund in the Treasury for FMLI benefits.

Actions Timeline

- **Dec 12, 2013:** Introduced in Senate
- **Dec 12, 2013:** Read twice and referred to the Committee on Finance.