

## S 1401

### ESP Family Leave Act

**Congress:** 116 (2019–2021, Ended)

**Chamber:** Senate

**Policy Area:** Labor and Employment

**Introduced:** May 9, 2019

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (May 9, 2019)

**Official Text:** <https://www.congress.gov/bill/116th-congress/senate-bill/1401>

### Sponsor

**Name:** Sen. Duckworth, Tammy [D-IL]

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

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Durbin, Richard J. [D-IL]	D · IL		May 16, 2019
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jun 4, 2019
Sen. Coons, Christopher A. [D-DE]	D · DE		Jun 24, 2019

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	May 9, 2019

### Subjects & Policy Tags

#### Policy Area:

Labor and Employment

### Related Bills

Bill	Relationship	Last Action
116 HR 7739	Identical bill	<b>Jul 23, 2020:</b> Referred to the Committee on Education and Labor, and in addition to the Committees on Oversight and Reform, 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.

## **ESP Family Leave Act**

This bill provides that employees who are education support professionals will be considered as meeting the hours of service requirements to become eligible for family or medical leave under the Family and Medical Leave Act of 1993, if they have worked a number of hours equal to not less than 60% of the total monthly hours expected for their job descriptions and duties, as assigned for the previous school year.

The bill defines an *education support professional* as an employee within a public school or public institution of higher education which may include (1) paraeducators who provide instructional and noninstructional support; (2) secretarial, clerical, and administrative support staff; (3) custodians and maintenance service workers who provide building and grounds maintenance and repair; (4) skilled trade workers who provide services in schools, e.g., electricians, carpenters, and machinery operators; (5) workers who provide food service; (6) workers who provide school transportation and delivery services; (7) computer audiovisual, and language technical support staff; (8) security staff; (9) nursing, health, and therapy support staff; and (10) other staff that may serve public education students.

The Department of Labor may provide a method for calculating leave under the Act for education support professionals.

## **Actions Timeline**

---

- **May 9, 2019:** Introduced in Senate
- **May 9, 2019:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.