



(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To amend the Family and Medical Leave Act of 1993 and the Emergency Paid Sick Leave Act to include leave for employees who are unable to work due to minor children in optional virtual or hybrid learning, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. MENG introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Family and Medical Leave Act of 1993 and the Emergency Paid Sick Leave Act to include leave for employees who are unable to work due to minor children in optional virtual or hybrid learning, 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 “Access To Health-
5 based Options and More Ease with Learning Act” or the
6 “AT HOME Learning Act”.

1 **SEC. 2. FAMILY AND MEDICAL LEAVE ACT OF 1993.**

2 (a) EMERGENCY LEAVE EXTENSION.—Section
3 102(a)(1)(F) of the Family and Medical Leave Act of
4 1993 (29 U.S.C. 2612(a)(1)(F)) is amended by striking
5 “December 31, 2020” and inserting “June 25, 2021”.

6 (b) QUALIFYING NEED RELATED TO A PUBLIC
7 HEALTH EMERGENCY.—Section 110(a)(2)(A) of the
8 Family and Medical Leave Act of 1993 (29 U.S.C.
9 2620(a)(2)(A)) is amended to read as follows:

10 “(A) QUALIFYING NEED RELATED TO A
11 PUBLIC HEALTH EMERGENCY.—The term
12 ‘qualifying need related to a public health emer-
13 gency’, with respect to leave, means the em-
14 ployee is unable to work (or telework) due to a
15 need for leave to care for the son or daughter
16 of such employee if, due to COVID–19—

17 “(i) the child care provider of such
18 son or daughter is unavailable;

19 “(ii) the school or place of care of
20 such son or daughter is closed; or

21 “(iii) the school of such son or daugh-
22 ter—

23 “(I) requires or makes optional a
24 virtual learning instruction model; or

1 “(II) requires or makes optional
2 a hybrid of in-person and virtual
3 learning instruction models.”.

4 **SEC. 3. EMERGENCY PAID SICK LEAVE ACT.**

5 (a) PAID SICK TIME REQUIREMENT.—Section
6 5102(a)(5) of the Emergency Paid Sick Leave Act (29
7 U.S.C. 2601 note) is amended to read as follows:

8 “(5) The employee is caring for a son or daugh-
9 ter of such employee if, due to COVID–19—

10 “(A) the child care provider of such son or
11 daughter is unavailable;

12 “(B) the school or place of care of such
13 son or daughter is closed; or

14 “(C) the school of such son or daughter—

15 “(i) requires or makes optional a vir-
16 tual learning instruction model; or

17 “(ii) requires or makes optional a hy-
18 brid of in-person and virtual learning in-
19 struction models.”.

20 (b) ALLOWING EMPLOYEES TO ACCESS THE BAL-
21 ANCE OF THEIR EMERGENCY PAID SICK LEAVE ENTI-
22 TLEMENT.—Section 5102 of the Emergency Paid Sick
23 Leave Act (29 U.S.C. 2601 note) is amended by striking
24 subsection (b)(3).

1 (c) EMERGENCY PAID SICK LEAVE EXTENSION.—
2 Section 5109 of the Emergency Paid Sick Leave Act (29
3 U.S.C. 2601 note) is amended by striking “December 31,
4 2020” and inserting “June 25, 2021”.

5 **SEC. 4. TAX CREDITS FOR PAID SICK AND PAID FAMILY**
6 **AND MEDICAL LEAVE.**

7 (a) PAID SICK LEAVE.—Section 7001(g) of the Fam-
8 ilies First Coronavirus Response Act (26 U.S.C. 3111
9 note) is amended by striking “December 31, 2020” and
10 inserting “June 25, 2021”.

11 (b) PAID FAMILY LEAVE.—Section 7003(g) of the
12 Families First Coronavirus Response Act (26 U.S.C. 3111
13 note) is amended by striking “December 31, 2020” and
14 inserting “June 25, 2021”.