

Amendment to the Amendment in the Nature of a Substitute to Subtitle A: Budget Reconciliation Legislative Recommendations Relating to Universal Paid Family and Medical Leave offered by Dr. Ferguson of Georgia.

The amendment would require workers to provide 30-days' notice of the need to be absent from work to all employers, with the exception of small employers for which the applicable period would be substituted with 60 days. (The Defending Small Business Owner's Amendment).

**AMENDMENT TO THE AMENDMENT IN THE NA-
TURE OF A SUBSTITUTE TO THE COMMITTEE
PRINT RELATING TO UNIVERSAL PAID FAM-
ILY AND MEDICAL LEAVE**

OFFERED BY MR. FERGUSON OF GEORGIA

Page 16, strike lines 5 through 11 and insert the following:

1 “(3) an attestation from the individual that no-
2 tice of the individual’s need to be absent from work
3 during such caregiving hours has been provided pur-
4 suant to subparagraph (h);”.

Page 25, after line 4, insert the following:

5 “(h) EMPLOYEE NOTICE REQUIREMENTS FOR FORE-
6 SEEABLE LEAVE.—

7 “(1) TIMING OF NOTICE.—An individual must
8 provide the employer at least 30 days advance notice
9 before leave is to begin if the need for the leave is
10 foreseeable based on an expected birth, placement
11 for adoption or foster care, planned medical treat-
12 ment for a serious health condition of the employee
13 or of a family member, or the planned medical treat-
14 ment for a serious injury or illness of a covered serv-

1 icemember. If 30 days' notice is not practicable,
2 such as because of a lack of knowledge of approxi-
3 mately when leave will be required to begin, a
4 change in circumstances, or a medical emergency,
5 notice must be given as soon as practicable. For ex-
6 ample, an employee's health condition may require
7 leave to commence earlier than anticipated before
8 the birth of a child. Similarly, little opportunity for
9 notice may be given before placement for adoption.
10 For foreseeable leave due to a qualifying exigency
11 notice must be provided as soon as practicable, re-
12 gardless of how far in advance such leave is foresee-
13 able. Whether leave is to be continuous or is to be
14 taken intermittently or on a reduced schedule basis,
15 notice need only be given one time, but the employee
16 shall advise the employer as soon as practicable if
17 dates of scheduled leave change or are extended, or
18 were initially unknown. In those cases where the em-
19 ployee is required to provide at least 30 days' notice
20 of foreseeable leave and does not do so, the employee
21 shall explain the reasons why such notice was not
22 practicable upon a request from the employer for
23 such information.

24 “(2) TIMING OF NOTICE FOR SMALL EMPLOY-
25 ERS.—For individuals employed with an employer

- 1 with less than 50 employees in paragraph (1) strike
- 2 '30' and insert '60'."

