

Adam Sencenbaugh in HR Magazine: 'Lawmakers Reintroduce Paid Family and Medical Leave Bill'

March 5, 2021 Adam Sencenbaugh

PRACTICES Employment Litigation, Health and Welfare Plans, Labor and Employment

HR Magazine quoted Haynes Boone Partner [Adam Sencenbaugh](#) in an article about a proposed Congressional bill that would create a permanent paid family and medical leave program.

Here is an excerpt:

Currently, the Family and Medical Leave Act (FMLA) offers job-protected unpaid leave to certain employees who work for businesses with at least 50 employees.

Employees are eligible to take leave if they work at a location where there are 50 or more employees within 75 miles, have worked for their employer for at least 12 months and have worked at least 1,250 hours in the previous 12 months.

Workers could take leave under the FAMILY Act for the same reasons they can take FMLA leave under existing law, explained Adam Sencenbaugh, an attorney with Haynes Boone in Austin and San Antonio, Texas. "But the class of eligible employees is significantly larger than under the FMLA, including every individual who has the earnings and work history necessary to qualify for Social Security Disability Insurance."

The FAMILY Act would cover all workers—regardless of employer size—and would apply to part-time, temporary and self-employed workers. Eligible workers would earn 66 percent of their monthly wages up to a certain cap.

What's Next?

Although the FAMILY Act seems likely to receive favorable treatment in the U.S. House of Representatives, Sencenbaugh noted, the bill faces an uncertain future in the U.S. Senate. The Senate is split 50-50 between Democrats and Republicans, and Vice President Kamala Harris casts the tie-breaking vote when the Senate is divided.

Absent federal legislation, Sencenbaugh said, the trend to offer paid family leave will likely continue at the state and local level.

To read the full article, click [here](#).