

**EDUCATION & LABOR COMMITTEE**

**Congressman George Miller, Chairman**

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Press Office, 202-226-0853

**Chairwoman Woolsey Statement at Subcommittee Hearing on “The 15th Anniversary of the Family Medical Leave Act: Achievements and Next Steps”**

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. Lynn Woolsey(D-CA), chairwoman of the Subcommittee on Workforce Protections, for a subcommittee hearing on “The 15th Anniversary of the Family Medical Leave Act: Achievements and Next Steps.”*

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I want to thank everyone for attending this hearing on 15th anniversary of the Family and Medical Leave Act, legislation that establishes a minimum labor protection to help working people balance their work and family lives.

FMLA had been in the works for many years before it was passed, and I am so delighted that Representative Pat Schroeder, the “mother” of the FMLA, is able to be here to testify today.

Welcome, Representative Schroeder.

You worked tirelessly to pass this benefit for working families.

And, as such, you and others testifying here today know how far we have come, and yet how far we have to go.

The U.S.A. should be a leader in the world on these matters.

But, at the current time, we lag far behind other countries in providing “family-friendly policies”, such as paid leave, to our workers.

We need to catch up, and catch up fast.

However, in the 15 years since FMLA was passed, there has been good news!

Millions of workers have been able to utilize leave to care for the birth or adoption of a child, to care for a sick child or parent, or to care for their own serious medical condition.

Chante Lasco will testify about her leave, why it was good and how it could have been better.

There are also many good employers - although not nearly enough - in this country who realize that “family-friendly policies” actually help, not hurt their bottom line.

And just this year, on a bipartisan basis we passed the first-ever expansion to the FMLA.

I am proud to say that the expansion is the result of legislation introduced by Senators Clinton and Dodd and myself to provide additional leave for workers to care for seriously injured servicemembers.

The genesis of this legislation was the Wounded Warriors Commission chaired by Secretary Donna Shalala and Senator Bob Dole.

The Commission recommended an expansion to FMLA because it understood that workers with family members in the military face additional challenges due to the conflicts in Iraq and Afghanistan, which have resulted in over 4,000 deaths and more than 30,000 injuries, with many servicemembers being seriously injured.

The new expansion provides these workers job-protected leave for up to 6 months so they can care for the servicemembers who have sacrificed so much for this country. This is important because, for the first, family members other than the spouse, parent, or child can take off leave under the FMLA.

In addition, the law also incorporates an important provision authored by Representatives Altmire and Tom Udall that extends the 12 weeks of leave to families of servicemembers who are deployed overseas for matters arising from the deployment.

Many members of the House and Senate are submitting comments to the Department of Labor on how to implement this expansion to the FMLA.

Assistant Secretary Lipnic, I appreciate your coming today, and I hope that the Department will heed our suggestions to interpret the law in the broadest possible way so it can be administered as we intended.

We are pleased that we were able to expand leave for military families, but of course our work on behalf of all working families is far from done.

More employers need to step up to the plate, and we need to enact other workforce protections that establish our country as a leader in this arena.

This includes passing legislation providing for paid sick days, paid leave, equal pay for women and other necessary benefits for working families, so they can bridge work and family.

That is why I have introduced the Balancing Act, which puts into place a whole host of “family-friendly” policies, such as paid family medical leave, benefits for part-time workers, and additional leave for parental involvement activities, including attending to routine medical matters.

Senator Kennedy and Representative DeLauro have introduced the Healthy Families Act, which will provide workers with 7 days of paid sick leave to care for their own medical needs or the needs of a family member.

And that is why Representative Bishop, a valued member of our Subcommittee, along with Senator Clinton, has introduced H.R. 2744, The Airline Flight Crew Technical Corrections Act, which amends FMLA to make flight attendants or crew members eligible for FMLA if they have worked 60% of the employer's monthly hour or trip guarantee.

I am pleased that Jennifer Hunt, a flight attendant, is testifying today.

By telling her story, she will show us that it is very important to provide job-protected leave to others in her same position.

Lastly, let me just say a few words about the Department of Labor's proposed regulations to the FMLA.

I was very disappointed that without scientifically sound data, the Department is proposing changes that will make it harder not easier for workers to utilize FMLA leave.

I was a human resource manager for nearly 2 decades, and I know all about the issues that come up when workers need time off from work to take care of family matters.

I found that it was important to help workers with these issues because I knew that when a worker's family life was in order, he or she was a better and more committed employee.

So it was in the best interest of my Company to give workers the leave they needed.

The proposed regulations disturb me precisely because they shift that balance in favor of the employer.

Unlike the Fair Labor Standards Act, from which the FMLA was modeled, these proposed changes will allow a worker to waive his or her rights under the FMLA leave without the supervision of a court or the Department of Labor.

And they will create more hoops for the worker to jump through in order to utilize a right to leave that is already enshrined in law.

Notice will have to be immediate and contain detailed information about the need for leave.

And under the proposed rules, an employer - and not the employer's doctor - could talk directly to the health care provider about the worker's medical condition or the worker could be denied leave.

These are just a few of the problems with the proposed rules, and I and other members look forward to hearing from Assistant Secretary Lipnic on why the delicate balance that we have been able to achieve for 15 years needs to be upset at this particular time.

This is not fairness, just another obstacle to a worker being able to assert his or her right.

In any event, I look forward to hearing from all our witnesses about our achievements and the road ahead.

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