



PARENTAL BEREAVEMENT ACT OF 2017

Amending FMLA to Include Loss of a Child as a Covered Condition

Summary: On March 16, 2017, a bipartisan group of Representatives including Paul Gosar (AZ), Don Beyer (VA), Martha McSally (AZ), Brad Schneider (IL), Tom Suozzi (NY) and Barbra Comstock (VA) introduced the Sarah Grace-Farley-Kluger Act (H.R. 1560). This legislation would add “death of a child” as a life event that would qualify for unpaid leave under the Family Medical Leave Act (FMLA), allowing a grieving parent up to 12 weeks to deal with the trauma and then return to work.

A companion bill (S. 528) was introduced in the Senate by Senator Jon Tester (MT) on March 6, 2017 and it currently has twelve (12) co-sponsors.

Grassroots Support: In January 2011, when Kelly Farley and Barry Kluger launched their petition to Congress at www.FarleyKluger.com, they drew five hundred signatures on day one. Six years later, this initiative has resulted in over 100,000 petitions being sent to all Members of Congress. The goal of their grassroots advocacy was been to introduce legislation to address the loss and grief suffered by parents who experience the death of a child.

“This proposed legislation is not about us, it’s about the parents that will follow in our footsteps. Parents that do not yet know that they too will bury a child. It’s about fighting for those that will need it”.

Background on the Family and Medical Leave Act of 1993:

Currently, people that work for companies with 50 or more employees are eligible to receive up to 12 weeks annually of job-protected, unpaid leave for the following family and medical reasons:

- Birth of a child
- Becoming a foster parent
- Adoption
- Care for a spouse, son, daughter, or parent with a serious health condition
- Having a serious health condition that makes the employee unable to perform essential job functions
- Emergencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active military duty
- The employer may elect to substitute accrued paid leave for the unpaid leave
- Existing group health insurance coverage continues under the same terms and conditions as if the employee had not taken leave.

Currently, a parent whose child has died is not eligible for this benefit. The goal of the bill is to rectify this oversight, and we need more support in Washington is this bill is to become a reality.

Current Status of Bill:

In the House, the bill was assigned to:

- House Education and Workforce Committee
- Oversight and Government Reform
- House Administration

Chaired by Rep. Virginia Foxx (R-NC)
Chaired by Rep. Jason Chaffetz (R-UT)
Chaired by Rep. Gregg Harper (R-MS)

In the Senate, the bill was assigned to:

- Health, Education, Labor, and Pensions Committee

Chaired by Sen. Lamar Alexander (R-TN).

Key Provisions of the Proposed Parental Bereavement Act of 2017:

- Amends the Family and Medical Leave Act of 1993 to include the “*death of a son or daughter*” as an eligible reason to take leave under the Family and Medical Leave Act.
- Without this protection, grieving parents are at the mercy of their employers to determine how long they can be away without risking job loss. Certainly many supervisors and employers are generous to bereaved parents but unfortunately, others are not.

Organizations that Believe in Our Mission:

- American Academy of Grief Counseling
- American Counseling Association
- American Institute for Health Care Professionals
- Blue Star Families
- Children’s Bereavement Center
- Children’s Bereavement Center of Miami
- Children’s Brain Tumor Foundation
- Children’s Hospital Association
- Children’s Neuroblastoma Cancer Foundation
- CJ First Candle
- Elisabeth-Kubler-Ross Foundation
- Employee Assistance Professionals Association
- Gold Star Mothers and Fathers
- Grief Recovery Institute Education Foundation
- Jed Foundation
- MarineParents.com
- Mothers Against Drunk Driving (MADD)
- National Alliance for Grieving Children
- National Association of Social Workers
- National Council on Sepsis
- National Military Family Foundation
- National Students of AMF
- Parents of Murdered Children
- Polly Klaas Foundation
- Red Means Stop Traffic Safety Alliance
- Rory Staunton Foundation for Sepsis Prevention
- Sarah Grace Foundation for Children with Cancer
- The Miss Foundation
- Tragedy Assistance Program for Survivors
- Sudden Unexplained Death in Childhood Foundation

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We Need Your Help:

We currently enjoy the support from many professional organizations and non-profit organizations that focus on various types of child loss. However, to get this passed, we need help getting the word out to other organizations and people willing to contact their elected officials to voice support and encourage the support by their legislator. This has been a grassroots effort that has not had the luxury of funding by lobbyists.

- Find your Senator or Representative at www.GovTrack.us and ask them to support HR.1560 and S.528.
- Share our mission with your network on social media and ask them to contact their elected officials.

Our mission is driven by the desire to provide compassion to help others in the aftermath of losing a child