



October 27, 2023

The Honorable Joni Ernst
260 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Kyrsten Sinema
317 Hart Senate Office Building
Washington, D.C. 20510

Dear Senators Ernst and Sinema:

On behalf of the nearly 325,000 HR professionals and business executives SHRM represents, I write in support of S.2574, the Fair Access for Individuals to Receive Leave Act (“FAIR Leave Act”). Amending the Family Medical Leave Act (FMLA) to allow eligible married employees at an organization to each have 12 weeks of FMLA leave per leave year will make workplaces better for employees and employers, and we applaud your leadership on this important issue.

As SHRM marks its 75th anniversary, we are looking toward our centennial year by advancing policy recommendations that will improve the world of work, and this includes modernizing the FMLA. The culture around leave, caregiving and how personal needs interact with work obligations has completely shifted in the over 30 years since the FMLA was signed into law, and HR professionals have been left guessing at how to apply it given the demands of the modern workplace.

The FAIR Leave Act is a positive step toward modernizing the FMLA. It also brings it into better alignment with the current landscape on leave policy, in which states have taken the lead. The brilliance of this innovative, bipartisan, bicameral legislation is its simplicity in dismantling an inequitable provision that limited the aggregate amount of leave for married couples.

We have ample firsthand accounts from SHRM members who face the consternation and confusion that the FMLA’s under-inclusivity has caused over the years. We stand ready to assist with the passage of this legislation, and we will continue to advocate for adjustments to the FMLA that positively impact the HR profession and the world of work.

SHRM supports legislation such as the FAIR Leave Act that seeks to increase harmonization and clarity for employers and employees, especially as it pertains to the rights, responsibilities and obligations created by the FMLA. We also remain committed to elevating the collective experience and expertise of our members to advocate for smart policies with a bold purpose. Please consider us a resource as you develop other policy solutions on issues concerning work, workers and the workplace.

Sincerely,

Emily M. Dickens
Chief of Staff, Head of Public Affairs & Corporate Secretary