

110TH CONGRESS  
2D SESSION

# H. R. 2744

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## AN ACT

To amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Airline Flight Crew  
3 Technical Corrections Act”.

4 **SEC. 2. LEAVE REQUIREMENT FOR AIRLINE FLIGHT**  
5 **CREWS.**

6 (a) **INCLUSION OF AIRLINE FLIGHT CREWS.**—Sec-  
7 tion 101(2) of the Family and Medical Leave Act of 1993  
8 (29 U.S.C. 2611(2)) is amended by adding at the end the  
9 following:

10 “(D) **AIRLINE FLIGHT CREWS.**—

11 “(i) **DETERMINATION.**— For purposes  
12 of determining whether an employee who is  
13 a flight attendant or flight crewmember  
14 (as such terms are defined in regulations  
15 of the Federal Aviation Administration)  
16 meets the hours of service requirement  
17 specified in subparagraph (A)(ii), the em-  
18 ployee will be considered to be eligible if—

19 “(I) the employee has worked or  
20 been paid for 60 percent of the appli-  
21 cable monthly guarantee, or the equiv-  
22 alent annualized over the preceding  
23 12-month period; and

24 “(II) the employee has worked or  
25 been paid for a minimum of 504

1           hours during the preceding 12-month  
2           period.

3           “(ii) DEFINITION.—As used in this  
4           subparagraph, the term ‘applicable month-  
5           ly guarantee’ means—

6                       “(I) for employees described in  
7                       clause (i) other than employees on re-  
8                       serve status, the minimum number of  
9                       hours for which an employer has  
10                      agreed to schedule such employees for  
11                      any given month; and

12                     “(II) for employees described in  
13                     clause (i) who are on reserve status,  
14                     the number of hours for which an em-  
15                     ployer has agreed to pay such employ-  
16                     ees on reserve status for any given  
17                     month,

18           as established in the collective bargaining  
19           agreement, or if none exists in the employ-  
20           er’s policies. Each employer of an employee  
21           described in clause (i) shall maintain on  
22           file with the Secretary (in accordance with  
23           regulations the Secretary may prescribe)  
24           the applicable monthly guarantee with re-

1                   spect to each category of employee to  
2                   which such guarantee applies.”.

3           (b) CALCULATION OF LEAVE FOR AIRLINE FLIGHT  
4 CREWS.—Section 102(a) of the Family and Medical Leave  
5 Act of 1993 (29 U.S.C. 2612(a)) is amended by adding  
6 at the end the following:

7                   “(5) CALCULATION OF LEAVE FOR AIRLINE  
8 FLIGHT CREWS.—The Secretary may provide, by  
9 regulation, a method for calculating the leave de-  
10 scribed in paragraph (1) with respect to employees  
11 described in section 101(2)(D).”.

Passed the House of Representatives May 20, 2008.

Attest:

*Clerk.*



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