

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1406, AS REPORTED
OFFERED BY MR. GRAYSON OF FLORIDA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Paid Vacation Act of
3 2013”.

4 SEC. 2. FINDINGS.

5 Congress finds that—

6 (1) according to the Bureau of Labor Statistics,
7 each year the average American works one month
8 (160 hours) more today than in 1976;

9 (2) job-related stress costs business \$344 billion
10 a year in absenteeism, lost productivity, and health
11 costs;

12 (3) some 75 percent of visits to primary care
13 physicians come from stress-induced problems;

14 (4) 147 countries require paid vacation leave,
15 and the United States is the only industrialized Na-
16 tion without a minimum annual leave law;

1 (5) one of the fastest growing economies in the
2 world, China, requires 3 weeks off for employees,
3 which they call “Golden Weeks”;

4 (6) Canada requires 2 weeks off for all employ-
5 ees, and 3 weeks off for employees with 5 years or
6 more with one employer;

7 (7) the Pew Research Center says more free
8 time is the number one priority for middle-class
9 Americans—with 68 percent of those surveyed listed
10 this as a high priority for them;

11 (8) in 2008, about half (52 percent) of Amer-
12 ican workers took a vacation of a week or longer,
13 and only 14 percent of American workers took 2
14 weeks or more for vacation;

15 (9) men who don’t take regular vacations are
16 32 percent more likely to die of heart attacks, and
17 21 percent more likely to die early of all causes;

18 (10) women who don’t take regular vacations
19 have a 50 percent greater risk of heart attack, and
20 are twice as likely to be depressed as those who do;

21 (11) the travel industry adds \$740 billion a
22 year to the Nation’s economy, while stress and burn-
23 out at work cost the economy over \$300 billion a
24 year; and

1 (12) vacations allow workers and businesses to
2 increase productivity, decrease stress-related health
3 costs, and provide time for family strengthening and
4 bonding.

5 **SEC. 3. ENTITLEMENT TO VACATION.**

6 Section 7 of the Fair Labor Standards Act (29
7 U.S.C. 207) is amended by inserting after subsection (b)
8 the following:

9 “(c)(1) Beginning on the date of enactment of the
10 Paid Vacation Act of 2013, an eligible employee of an em-
11 ployer that employs 100 or more employees at any time
12 during a calendar year shall be entitled to a total of 1
13 workweek of paid vacation during each 12-month period.

14 “(2) Beginning on the date that is 3 years after the
15 date of enactment of the Paid Vacation Act of 2013, an
16 eligible employee of an employer that employs 50 or more
17 employees at any time during a calendar year shall be enti-
18 tled to a total of 1 workweek of paid vacation during each
19 12-month period, and an eligible employee of an employer
20 that employs 100 or more employees shall be entitled to
21 a total of 2 workweeks of paid vacation during each 12-
22 month period, beginning on that eligible employee’s first
23 anniversary of employment.

24 “(3) An eligible employee shall provide the employer
25 with not less than 30 days’ notice, before the date the paid

1 vacation under paragraph (1) or (2) is to begin, of the
2 employee's intention to take paid vacation under such
3 paragraph, and identify the date such paid vacation shall
4 begin.

5 “(4) For purposes of this subsection—

6 “(A) the term ‘eligible employee’ means an em-
7 ployee who has been employed for at least 12
8 months by the employer with respect to whom leave
9 is requested under paragraph (1) or (2) and for at
10 least 1,250 hours of service with such employer dur-
11 ing such 12-month period; and

12 “(B) the term 1 workweek of ‘paid vacation’
13 means vacation time, in addition to and apart from
14 sick leave and any leave otherwise required by law,
15 to be taken in a continuous series or block of work
16 days comprising 7 calendar days that cannot be
17 rolled over, but must be used within the 12-month
18 period.

19 “(5) The exemptions to this section provided in sec-
20 tion 13 shall not apply to this subsection.”.

21 **SEC. 4. PUBLIC AWARENESS CAMPAIGN BY DEPARTMENT**
22 **OF LABOR.**

23 The Secretary of Labor is authorized to conduct a
24 public awareness campaign, through the Internet and
25 other media, to inform the public of the entitlement to

1 leave afforded by this Act. There is authorized to be ap-
2 propriated such sums as may be necessary for the public
3 awareness campaign.

4 **SEC. 5. STUDY ON PRODUCTIVITY.**

5 The Secretary of Labor shall conduct a study on
6 workplace productivity and the effect on productivity of
7 the leave requirement in this Act. The study shall also ad-
8 dress any benefits to public health and psychological well-
9 being as a result of such leave. Not later than 3 years
10 after the date of enactment of this Act, the Secretary shall
11 transmit to Congress a report containing the findings of
12 the study, and shall publish such findings on the website
13 of the Department of Labor.

