

TITLE	FAMILY AND MEDICAL LEAVE ACT OF 1993 (“FMLA”)	FAMILY AND MEDICAL INSURANCE LEAVE ACT (“FAMILY ACT”)	NEW PARENTS ACT	CHILD REARING AND DEVELOPMENT LEAVE EMPOWERMENT ACT (“CRADLE ACT”)
SPONSOR	N/A	Sen. Gillibrand; Rep. DeLauro; and many other Democratic Members of Congress	Sens. Rubio & Romney; Rep. Wagner & Crenshaw	Sens. Ernst & Lee
STATUS	Enacted in 1993	Introduced in 114th, 115th, and 116th Congresses	Introduced in 115th and 116th Congresses	Discussion draft in 116th Congress
ADMINISTRATION	Enforced by Secretary of Labor	Establishes Office of Paid Family and Medical Leave within SSA	Administred by SSA	Establishes Office of Paid Parental Leave Policy within SSA
TYPE OF LEAVE	Parental, family and medical leave	Parental, family, and medical leave	Parental leave	Parental leave
ELIGIBLE BENEFICIARIES	Employees of employers with 50+ employees	Any individual insured by SSDI with income from employment during the prior year	Any individual insured by SSDI	Any individual insured by SSDI
ELIGIBILITY REQUIREMENTS	Employee must have been employed for 12 months+ by the employer and worked 1,250 hours+ during that period	N/A	Individual must have worked for 1 year preceding arrival of child and 2 years total OR individual must have worked for 3 years total	Individual must have worked for 1 year preceding application for benefits, 5 of the 6 quarters preceding application for benefits, OR 5 years total.
DURATION OF LEAVE	Up to 12 weeks per 12-month period	Up to 3 months per 12-month period. Individuals are required to take leave during the months they receive benefits.	Participants may elect to receive 1 to 3 months of benefits per childbirth; they are only required to use the money to spend more time with their child.	Participants may elect to receive up to 3 months per 12-month period. Individuals are required to take leave during the months they receive benefits.
BENEFIT AMOUNT	None	2/3 of wages (minimum, \$580; maximum, \$4,000 per month)	Progressive benefit based on SSDI. Replaces 90% of first \$926 of average monthly income (AIME), 32% of AIME between \$926-\$5,583, and 15% of AIME greater than \$5,580 (maximum \$2,861).	Progressive benefit based on SSDI. Replaces 90% of first \$926 of average monthly income (AIME), 32% of AIME between \$926-\$5,583, and 15% of AIME greater than \$5,580 (maximum \$2,861).
COORDINATION OF BENEFITS	Employer may require employee to substitute accrued leave for any part of the FMLA period.	Benefit may be reduced, based on regulations by Commissioner, due to receipt of state temporary disability or family leave benefits. Benefits are not reduced due to employer-provided leave benefits.	Benefits are not reduced due to receipt of state or employer-provided leave benefits	Benefits are not reduced due to receipt of employer-provided leave benefits. Benefits are reduced due to receipt of state-provided leave benefits to the extent that the receipt of such benefits would replace more than 100% of the individual’s AIME.
FUNDING MECHANISM	None	Additional Payroll Tax of .4%	No new tax. Individuals who elect to receive parental benefits pay cost of their benefits with deduction from first 60 months of retirement benefits; alternatively, they may elect to adjust their retirement age to offset the benefit costs.	No new tax. The retirement eligibility of individuals who elect to receive parental benefits will be adjusted to offset benefit cost by a factor of two (three months of benefits results in six month delay in eligibility).
JOB PROTECTION/ DISCRIMINATION PROHIBITION	Yes	Yes	No	No