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## Fairness for Stay-at-Home Parents Act

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The Family and Medical Leave Act of 1993 (FMLA) contains a list of acceptable reasons for an employee to opt out of returning to work after a period of leave, including illness or to care for a relative.<sup>1</sup> However, the birth of a child is not on that list. As a result, employers are entitled under law to force their employees to repay the cost of their insurance premiums accrued from birth and labor if they choose to leave the workforce after the birth of their child.

Most American families pay between 16% - 25% of their health insurance premium on a monthly basis.<sup>2</sup> The average share employers contributed toward group health insurance premium costs was 75% for family coverage and 84% for single coverage in 2024. This equates to \$2,131 monthly for family coverage and \$745 monthly for single coverage per employee. A family could thus be expected to recoup up to \$6,393 on average if a mother decides to leave the workforce after taking three months of paid leave.

Our society should incentivize parents to raise their children as there is no better arrangement for young children in their developmental years. This bill strengthens families by giving new parents the option to raise their children without having to worry about their employer clawing back their healthcare premiums.

### Bill Specifics

- Amends the FMLA by adding the birth of a child to the list of acceptable reasons for an employee to not return to work and be exempt from paying back insurance premiums collected during their leave period.
- Requires employers to notify their employees before they take leave for the birth of a child that the employer may not recover any insurance premiums if the employee fails to return due to the birth.

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<sup>1</sup> [29 USC 2614\(c\)\(2\)\(B\)](#)

<sup>2</sup> <https://files.kff.org/attachment/Employer-Health-Benefits-Survey-2024-Annual-Survey.pdf>