

attend to their own critical medical needs. They have done so knowing that their job remained safe and secure. Indeed, many employers have gone far beyond the requirements of the FMLA, providing their employees with leave benefits beyond those required under state or federal law.

In congressional hearings on the FMLA, in town meetings, and in speaking with both employers and employees in our districts, we hear that so much of the FMLA works the way Congress intended. As all of us who serve in this body know, however, actions we take here in Congress with the best of intentions often end up going in a direction we don't expect.

In particular, with respect to the FMLA, we have heard that the "family" part of Family and Medical Leave has worked well, providing employees a much-needed benefit and the time to care for a newborn or adopted child, while enabling employers to manage and maintain the productivity of their workforce.

It appears that implementation of "medical" leave has been less successful. It is plain that Congress intended FMLA to serve as a safety net for employees to meet serious and unforeseen medical needs. The Act was not intended to be—nor dare I say would it have been enacted if it were—a national "sick leave" policy. When medical leave is used for those serious health conditions for which it is intended, we hear from employers that morale and productivity are unaffected—indeed, that employees often rally to the aid of a colleague. In contrast, where medical leave is abused, or used beyond its intended purpose, morale and productivity suffer, employers are unable to manage their workplace, and resentment grows in co-workers who are forced to pick up chronic slack.

Similarly, we have heard repeatedly that recordkeeping and notice requirements under the Act are not in tune with the realities of today's workplace, and serve as a barrier to both employers and employees in knowing and exercising their rights. Concerns about misapplying the FMLA have often discouraged employers from providing more generous leave policies to their workers. Research also has shown that confusion surrounding FMLA regulatory requirements has actually served to hurt those it was supposed to help—workers.

Employers and employees alike have expressed concerns that the effectiveness of the law is being hampered by the way the Act has been implemented by regulatory agencies and interpreted by the courts. This is troubling and has, unfortunately, led to charges that the FMLA is a bad law. As a supporter of the FMLA, I would be the first to say that is not true: the FMLA is a good law, although with the benefit of 12 years of experience, perhaps a law in need of fine-tuning. Without action to clarify the law, we will surely see an increasing number of lawsuits challenging FMLA regulations—litigation that costs employees, employers, unions and the courts valuable time, effort and money.

On the anniversary of its enactment, I look forward to working with a wide array of members of Congress on both sides of the aisle and in both chambers of Congress, to keep the best parts of the FMLA intact, while targeting common-sense, necessary improvements where the Act has failed to meet Congressional expectations.

Many issues in Congress are polarized, but restoring the Congressional intent of this law

needn't be. I am confident that good minds can and will agree so that we can work to preserve the protections offered to workers by the FMLA, address failings in the Act that serve the interests of neither employers nor employees, and ensure that the benefits afforded to millions of working Americans in the last 12 years will be afforded to millions more in the years to come.

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HONORING CONTRIBUTIONS OF  
CATHOLIC SCHOOLS

SPEECH OF

**HON. MICHAEL R. TURNER**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 1, 2005*

Mr. TURNER. Mr. Speaker, I am pleased to join with my colleagues in recognition of Catholic Schools Week.

My district is home to over 30 Catholic schools, serving a whole generation of young people and their families. My district is also home to the University of Dayton, one of the nation's ten largest Catholic universities and the largest private university in the state of Ohio. I am a proud alumnus of the University of Dayton, where I earned my MBA.

Catholic schools have enriched the lives of generations of students. These schools have attained a well-earned reputation for academic excellence, and it is appropriate that Congress pay tribute to their contributions to our country. Catholic schools welcome children from a variety of social and economic backgrounds, and many non-Catholic parents have turned to these schools to educate their children. The theme of this year's week is: "Faith in Every Student." I strongly support the sound, values-based education Catholic schools provide.

I am proud to join my colleagues in support of H. Res. 23, honoring the contributions of Catholic schools in America and thank my colleague, Representative MARK KENNEDY of Minnesota, for bringing this resolution to the attention of the House.

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IN HONOR AND REMEMBRANCE OF  
ANDREW M. KYOVSKY

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Andrew M. Kyovsky, beloved son, brother, uncle, colleague and friend to many. His steady and spirited presence radiated warmth and light along the granite walkways of Cleveland City Hall, and his kind and gentle spirit will be deeply missed.

Mr. Kyovsky's 41 year legacy as the key staffer in the mail department of Cleveland City Hall was framed by loyalty, dependability, integrity and concern for others. He rarely missed a day of work, and his love for his job and for the people he worked with reflected daily within the smiles and laughter he enticed from others—from the first-floor receptionist to seven of Cleveland's mayors—including me.

Despite life-long medical challenges, Mr. Kyovsky's spirited demeanor, generous heart

and zest for life was never dimmed. His quick smile and kind words served to disarm even the most guarded employee or visitor to City Hall. Whether presenting a rose to a charmed female colleague or offering a kind word to a visitor, Mr. Kyovsky did so with grace, dignity and humanity. His personal difficulties never prevented him from helping others, and he did so daily. Mr. Kyovsky's life was a lesson in humanity, showing us the power of kindness and giving—universal truths infinitely more supreme than any lofty municipal project or political agenda.

Mr. Speaker and colleagues, please join me in honor and remembrance of Andrew M. Kyovsky, whose exceptional work in the mail room at Cleveland City Hall is eclipsed only by the brilliant legacy of his gentle and courageous heart. I offer my deep condolences to his mother, Ann Kyovsky; his sister and brother-in-law, Margaret and Joseph Dzurma; his nieces, Anne Marie and Paula; and also to his extended family and many friends. His friendship, perseverance and unyielding loyalty will forever light the hearts of all whom knew and loved him well.

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ACKNOWLEDGING THE SERVICE OF  
ELAINE T. VALENTE

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 2, 2005*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge an important leader in the Denver, Colorado metropolitan area. Ms. Elaine Valente, outgoing Commissioner for Adams County, will be leaving her post after 16 years of dedicated service.

Commissioner Valente was born and raised in Adams County. She and her husband Larry own the successful Valente's Deli, are proud parents of two accomplished children, and are passionate community activists.

Elaine's interest in her community began long before assuming her role as County Commissioner. She severed on the Adams County Planning Commission, the City of Westminster Urban Renewal Authority, the Westminster Planning Commission, the Citizen's Evaluation for Retention of Judges, and the School District 50 Superintendent's Parent Advisory Committee.

That deep passion to give something back and to help improve the community in which she lives motivated her to run and win election as a County Commissioner in 1988. After her election, Elaine began a noteworthy career as a public official. Serving as Chairman of the commissioners, she took an interest in many issues affecting her constituency, helping pave the way for future county development and responsible economic achievement. Elaine's heartfelt desire for progress in the county she knew from birth allowed us all to bask in the results of her accomplished career.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Elaine Valente and in wishing her success in all her future endeavors. It has been a true privilege to work with such a remarkable public servant.