

What Every Business Needs to Know About the Americans with Disabilities Amendments Act

The Americans with Disabilities Act of 1990 ("ADA") represents one of the most complex laws that employers have been faced with in decades. Just when many employers began to feel comfortable with their responsibilities under the ADA, Congress passed an amendment that fundamentally altered the focus and mechanics of that law--the ADA Amendments Act. The Equal Employment Opportunity Commission's final regulations interpreting this amendment became effective on May 24, 2011-- a year when disability discrimination claims filed with the EEOC and damages paid by employers were at historical highs.

In this full-day course, Skip Sperry will guide employers and attorneys through the amendment and explain how to adjust focus to comply with the new, more rigorous responsibilities.

8:30 - 9:00 a.m.	Registration	12:00- 1:00 p.m.	Lunch break
9:00 - 9:45 a.m.	ADA Overview	1:00 - 2:00 p.m.	Examinations & Inquiries
9:45 - 10:30 a.m.	Three Prongs of "Disability"	2:00 - 3:00 p.m.	Reasonable Accommodation
10:30 - 11:15 a.m.	Substantially Limiting Impairments	3:00 - 4:00 p.m.	Hardship & Direct Threat
11:15 - 12:00	Essential Functions	4:00 - 4:30 p.m.	Policy Issues

May 17, 2012 * Oxford Suites * 1426 S. Entertainment Ave. * Boise, Idaho

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*Space is limited. \$25 per participant should be added to each participant registration received after May 1, 2012



Skip graduated *cum laude* from Creighton University School of Law in 1993. He began his career with the IEC Group, a human resources association with over 850 employer-members across the United States. As the Chief Compliance Attorney, he represented employers in various employment-related claims from discrimination, OSHA, and Wage & Hour claims to NLRB and unemployment claims. He also taught hundreds of employment law and human resources classes.

Skip continued his career as in-house counsel for SCP Global Technologies, Inc. and Idaho Power Company. He also spent 7 years in private practice which contributed to his experience in litigating employment law matters.

Skip currently runs Sperry Law Office, PLLC, where he counsels clients on a myriad of employment and labor law matters, providing a full spectrum of employment counseling and litigation services.

Skip was a founding member of the Idaho State Bar Employment and Labor Law Section; Editor of the Idaho Employment and Labor Law Newsletter; a charter member of the National Labor Relations Board Regional Advisory Committee; and currently serves on the Board of Directors for the Human Resources Association Treasure Valley ("HRATV").

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www.sperrylawoffice.com

LAW OFFICE PLLC

P. O. BOX 44444 • BOISE IDAHO 83711

(208) 861-5150

Legislative

Overview

(Updated as of 03/12/12)

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Idaho 2011

[S1006](#) by STATE AFFAIRS COMMITTEE

RIGHT TO WORK - Adds to existing law relating to right to work to provide that, in regard to contracts for certain public works, the state or any political subdivision shall not require certain payment to certain employees and to provide that, in regard to contracts for certain public works, the state or any political subdivision shall not require that a contractor, subcontractor, material supplier or carrier engaged in public works become a party to certain agreements.

01/18 Senate intro - 1st rdg - to printing
03/01 Delivered to Governor on 02/28
03/03 Governor signed
Session Law Chapter 31
Effective: 07/01/11

[S1007](#) by STATE AFFAIRS COMMITTEE

LABOR ORGANIZATIONS - Adds to and amends existing law relating to labor organizations to prohibit certain activities relating to labor organizations, to provide for violations and penalties, and to provide for challenges by interested parties.

01/18 Senate intro - 1st rdg - to printing
03/01 Delivered to Governor on 02/28
03/03 Governor signed
Session Law Chapter 32
Effective: 07/01/11



[S1017](#) by COMMERCE AND HUMAN RESOURCES COMMITTEE

EMPLOYMENT SECURITY LAW - Amends existing law relating to employment security law to provide that benefits paid to a claimant terminated because their employer was called to active military duty shall not be used as a factor in determining the taxable wage rate of the employer.

01/19 Senate intro - 1st rdg - to printing
02/10 3rd rdg - PASSED - 33-0-2
02/11 House intro - 1st rdg - to Com/HuRes
03/10 3rd rdg - PASSED - 67-0-3
03/17 Delivered to Governor on 03/16
Governor signed
Session Law Chapter 94
Effective: 07/01/11

[S1033](#) by MALEPEAI

HUMAN RIGHTS COMMISSION - SEXUAL ORIENTATION - Amends existing law to provide that discrimination against sexual orientation or gender identity is a criminal offense; to provide that freedom from discrimination because of sexual orientation or gender identity is a civil right; and to prohibit discrimination against a person because of sexual orientation or gender identity under the Human Rights Commission Act with exceptions.

01/21 Senate intro - 1st rdg - to printing
01/24 Rpt prt - to St Aff

[S1124](#) by STATE AFFAIRS COMMITTEE

PUBLIC EMPLOYEES - Repeals, amends and adds to existing law relating to public employees; repeals law regarding school districts and negotiation agreements and the collective bargaining rights of firefighters; prohibits firefighters from striking or recognizing a picket line of any labor organization while in the performance of their official duties; and prohibits public sector collective bargaining and public employee strikes.

02/18 Senate intro - 1st rdg - to printing
02/21 Rpt prt - to St Aff

[S1147](#) by STATE AFFAIRS COMMITTEE

The purpose of this legislation is to amend current code to allow a student who is under fourteen years of age to be employed by a public school of the district where he or she is enrolled for a maximum of ten hours per week, provided the employment is voluntary and with the consent of the student's legal guardian.

03/07 Senate intro - 1st rdg - to printing
03/18 3rd rdg - PASSED - 32-0-3

03/21 House intro - 1st rdg - to Com/HuRes
03/28 3rd rdg - PASSED - 69-0-1
03/29 To enrol

[S1166](#) by STATE AFFAIRS COMMITTEE

This bill makes a technical correction in 41-293 relating to workers compensation insurance fraud and amends to 72-801 to make it consistent with penalties for insurance fraud in Title 41. The penalty will be increased from a misdemeanor to a felony. Further it clarifies that a person guilty of workers compensation insurance fraud will still be eligible for benefits from a future legitimate claim.

03/15 Senate intro - 1st rdg - to printing
03/28 2nd rdg - to 3rd rdg as amen Rls susp - PASSED - 35-0-0
03/29 House intro - 1st rdg - to Com/HuRes

[H0080](#) by COMMERCE AND HUMAN RESOURCES COMMITTEE

EMPLOYMENT SECURITY LAW - Adds to and amends existing law to define when corporate officers are unemployed; and to allow corporations to exempt corporate officers from unemployment insurance coverage.

02/01 House intro - 1st rdg - to printing
02/18 3rd rdg - PASSED - 55-7-8
02/21 Senate intro - 1st rdg - to Com/HuRes
03/08 3rd rdg - PASSED - 35-0-0
03/14 To Governor
03/15 Delivered to Governor on 03/14
03/16 Governor signed
Session Law Chapter 82
Effective: 07/01/11

[H0103](#) by EDUCATION COMMITTEE

PUBLIC MONEYS - RIGHT TO WORK - Adds to existing law relating to public moneys and right to work to prohibit payment of public moneys to labor organizations and to provide that employee wages, earnings and compensation, once earned, are not considered public moneys.

02/03 House intro - 1st rdg - to printing

02/04 Rpt prt - to St Aff



[H0104](#) by EDUCATION COMMITTEE

EDUCATION - Amends existing law relating to education to provide that the board of trustees shall ensure that employees exclusively perform certain duties, to provide that employees shall not be compensated for any other activity, to provide exceptions and to provide that the board shall not include labor union or association activities as part of the duties of any position.

02/03 House intro - 1st rdg - to printing

03/04 3rd rdg as amen - PASSED - 55-14-1

03/07 Senate intro - 1st rdg - to Educ

[H0126](#) by REVENUE AND TAXATION COMMITTEE

INCOME TAX - Amends existing law to revise the income tax credit available to taxpayers for employing new employees.

02/08 House intro - 1st rdg - to printing

02/15 3rd rdg - PASSED - 64-3-3

02/16 Senate intro - 1st rdg - to Loc Gov

[H0154](#) by COMMERCE AND HUMAN RESOURCES COMMITTEE

EMPLOYMENT SECURITY LAW - Amends existing law to provide a civil penalty for professional employers who failed to file quarterly wage reports under the state's employment security law.

02/11 House intro - 1st rdg - to printing

03/03 3rd rdg - PASSED - 66-0-4

03/04 Senate intro - 1st rdg - to Com/HuRes

03/15 3rd rdg - PASSED - 35-0-0

03/21 To Governor

03/22 Delivered to Governor on 03/21

Governor signed

Session Law Chapter 117

Effective: 07/01/11

Idaho

2012

[HJM006](#) by STATE AFFAIRS COMMITTEE

RIGHT TO WORK - Stating the findings of the Legislature and resolving that it is a compelling state interest of the Legislature to protect the right to work for all Idahoans, union and nonunion, under the authority granted by Congress under Section 14(b) of the National Labor Relations Act, by proscribing compulsory unionism as a condition of employment via anticompetitive rebates of employee wages to subsidize a contractor or subcontractor doing business in the state of Idaho.

01/26 House intro - 1st rdg - to printing

01/27 Rpt prt - to St Aff

[HCR040](#) by EDUCATION COMMITTEE

PAY POLICIES - STATE EMPLOYEES - Stating findings of the Legislature, rejecting the Governor's Change in Employee Compensation recommendation and providing policy toward funding recommendations regarding pay policies for state employees.

02/21 House intro - 1st rdg - to printing

02/22 Rpt prt - to Com/HuRes

02/24 Rpt out - to Gen Ord

02/29 Rpt out amen - to engros

03/01 Rpt engros - 1st rdg - to 2nd rdg as amen

03/02 2nd rdg - to 3rd rdg as amen

03/05 3rd rdg as amen - ADOPTED - 54-14-2

Title apvd - to Senate

03/06 Senate intro - 1st rdg - to Com/HuRes

[HCR041](#) by EDUCATION COMMITTEE

PAY POLICIES - STATE EMPLOYEES - Stating findings of the Legislature and rejecting the Governor's Change in Employee Compensation recommendation.

02/21 House intro - 1st rdg - to printing
02/22 Rpt prt - to Com/HuRes

H0418 by COMMERCE AND HUMAN RESOURCES COMMITTEE

PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law relating to the Public Employee Retirement System to revise a definition. "Salary" excludes travel reimbursement.

01/26 House intro - 1st rdg - to printing
01/27 Rpt prt - to Com/HuRes
02/01 Rpt out - rec d/p - to 2nd rdg
02/02 2nd rdg - to 3rd rdg
02/06 3rd rdg - PASSED - 70-0-0

Title apvd - to Senate

02/10 Senate intro - 1st rdg - to Com/HuRes
02/15 Rpt out - rec d/p - to 2nd rdg
02/16 2nd rdg - to 3rd rdg
02/23 3rd rdg - PASSED - 20-12-2

Title apvd - to House

02/24 To enrol
02/27 Rpt enrol - Sp signed
02/28 Pres signed
02/29 To Governor
03/01 Rpt delivered to Governor on 02/29

Governor signed

Session Law Chapter 31
Effective: 07/01/12

H0429 by CRONIN

PUBLIC WORKS CONTRACTS - Repeals and adds to existing law to rewrite the law for awarding of public works contracts and to revise residence preference status.

01/27 House intro - 1st rdg - to printing
01/30 Rpt prt - to Com/HuRes

[H0432](#) by KING

EMPLOYERS DUTIES - Adds to existing law relating to employer duties to require a meal period and to provide enforcement authority.

01/27 House intro - 1st rdg - to printing

01/30 Rpt prt - to Com/HuRes

[H0445](#) by STATE AFFAIRS COMMITTEE

PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law relating to the Public Employee Retirement System to revise the definition of "employee."

01/31 House intro - 1st rdg - to printing

02/01 Rpt prt - to St Aff

[H0523aa](#) by COMMERCE AND HUMAN RESOURCES COMMITTEE

UNEMPLOYMENT INSURANCE - Amends existing law relating to the employment security law to provide that certain registrations regarding elections to be exempt from unemployment insurance coverage shall remain in effect for at least two consecutive calendar years, to provide an effective date for registrations received within a specified time frame and to provide that such registrations shall remain in effect for at least two consecutive calendar years, to provide that with the exception of specified exemptions, other exemptions shall not be retroactive and to provide for registrations regarding newly formed corporations relating to exemptions from unemployment insurance coverage.

02/10 House intro - 1st rdg - to printing

02/13 Rpt prt - to Com/HuRes

02/24 Rpt out - to Gen Ord

02/29 Rpt out amen - to engros

03/01 Rpt engros - 1st rdg - to 2nd rdg as amen

03/02 2nd rdg - to 3rd rdg as amen

03/05 3rd rdg as amen - PASSED - 68-0-2

Title apvd - to Senate

03/06 Senate intro - 1st rdg - to Com/HuRes

[H0556](#) by EDUCATION COMMITTEE

PERSONNEL SYSTEM - Adds to existing law relating to the personnel system to establish provisions relating to sick leave of certain employees of Idaho community colleges; and to establish provisions relating to sick leave and certain former employees of Seland College of Applied Technology at Boise State University.

02/17 House intro - 1st rdg - to printing
02/20 Rpt prt - to Educ
02/24 Rpt out - rec d/p - to 2nd rdg
02/27 2nd rdg - to 3rd rdg
02/28 3rd rdg - PASSED - 64-0-6

Title apvd - to Senate

02/29 Senate intro - 1st rdg - to Educ
03/06 Rpt out - rec d/p - to 2nd rdg
03/07 2nd rdg - to 3rd rdg

[H0579](#) by EDUCATION COMMITTEE

RETIRED TEACHERS OR ADMINISTRATORS - Amends and repeals existing law relating to employment of retired teachers or administrators.

02/21 House intro - 1st rdg - to printing
02/22 Rpt prt - to Educ
02/28 Rpt out - rec d/p - to 2nd rdg
02/29 2nd rdg - to 3rd rdg
03/01 3rd rdg - PASSED - 67-0-3

Title apvd - to Senate

03/02 Senate intro - 1st rdg - to Educ

[H0607](#) by STATE AFFAIRS COMMITTEE

PUBLIC EMPLOYEE RETIREMENT SYSTEM - Amends existing law relating to the Public Employee Retirement System to revise provisions relating to those that do not meet the definition of "employee." Excludes cemetery/mosquito dist.

02/29 House intro - 1st rdg - to printing

03/01 Rpt prt - to Com/HuRes

[S1240](#) by BOCK

UNEMPLOYMENT - Amends existing law to authorize family members of corporate officers to be eligible for unemployment insurance benefits under certain circumstances.

01/20 Senate intro - 1st rdg - to printing

01/23 Rpt prt - to Com/HuRes

[S1242](#) by MCKAGUE

PUBLIC EMPLOYEES - Repeals, amends and adds to existing law relating to public employees; repeals law regarding school districts and negotiation agreements and the collective bargaining rights of firefighters; prohibits firefighters from striking or recognizing a picket line of any labor organization while in the performance of their official duties; and prohibits public sector collective bargaining and public employee strikes.

01/20 Senate intro - 1st rdg - to printing

01/23 Rpt prt - to St Aff

[S1245](#) by WERK, BILYEU, BOCK, LEFAVOUR, SCHMIDT, STENNETT

COOLING-OFF PERIOD - Amends and adds to existing law to provide a cooling-off period of one year under certain conditions for public officials when they leave public office; and to provide a civil penalty for violating the cooling-off period by former public officials.

01/20 Senate intro - 1st rdg - to printing

01/23 Rpt prt - to St Aff

[S1297](#) by EDUCATION COMMITTEE

EDUCATION - Amending existing law relating to education to revise provisions relating to powers and duties of school districts, to revise provisions relating to certain grievance procedures for school districts and to revise provisions relating to grievance procedures for noncertificated personnel.

02/08 Senate intro - 1st rdg - to printing

02/09 Rpt prt - to Educ

[S1306](#) by COMMERCE AND HUMAN RESOURCES COMMITTEE

LABOR DEPARTMENT - Adds to existing law to add a civil penalty for employers failing to report the hiring or rehiring of employees to the Department of Labor.

02/10 Senate intro - 1st rdg - to printing
02/13 Rpt prt - to Com/HuRes

[S1308](#) by COMMERCE AND HUMAN RESOURCES COMMITTEE

SICK LEAVE - TEACHERS - Amends existing law relating to teachers to revise provisions relating to sick leave rights.

02/10 Senate intro - 1st rdg - to printing
02/13 Rpt prt - to Com/HuRes
02/17 Rpt out - rec d/p - to 2nd rdg
02/20 2nd rdg - to 3rd rdg
02/21 3rd rdg - PASSED - 34-0-1

Title apvd - to House

02/22 House intro - 1st rdg - to Educ
02/28 Rpt out - rec d/p - to 2nd rdg
02/29 2nd rdg - to 3rd rdg

[S1327](#) by EDUCATION COMMITTEE

EDUCATION - Amends existing law relating to education to revise provisions relating to delivery of a contract, to provide that a designee of the board may declare a position vacant, to revise provisions relating to a district court order and provisions relating to the district placing an employee on involuntary unpaid leave or unpaid suspension; to eliminate language relating to a reduction in force, to revise provisions relating to a category B contract and to revise a date; to revise a provision relating to certificated employees employed pursuant to a grandfathered renewable contract and to revise provisions relating to reassignment of an administrative employee; to revise provisions relating to final offers of settlement, and to revise provisions relating to the subject matter of negotiations and to provide for rules.

02/13 Senate intro - 1st rdg - to printing
02/14 Rpt prt - to Educ
02/17 Rpt out - rec d/p - to 2nd rdg
02/20 2nd rdg - to 3rd rdg
02/23 3rd rdg - PASSED - 26-6-2

Title apvd - to House

02/24 House intro - 1st rdg - to Educ

[S1336aa](#) by STATE AFFAIRS COMMITTEE

WORKER'S COMPENSATION - Amends existing law relating to worker's compensation to provide that compensation shall be payable for disability or death resulting from certain firefighter occupational diseases, to provide a presumption of proximate causation between specified diseases and employment as a firefighter, to provide for rebuttal of the presumption, to provide for the demonstration of causal connection and to provide that the presumption shall not apply under certain circumstances.

02/21 Senate intro - 1st rdg - to printing
02/22 Rpt prt - to St Aff
03/02 Rpt out - to 14th Ord
03/05 Rpt out amen - to engros
Rpt engros - 1st rdg - to 2nd rdg as amen
03/06 2nd rdg - to 3rd rdg as amen

[S1339](#) by JUDICIARY AND RULES COMMITTEE

TRADE SECRETS ACT - Amends existing law relating to the Idaho Trade Secrets Act to revise definitions and to revise provisions relating to damages and fees.

02/21 Senate intro - 1st rdg - to printing
02/22 Rpt prt - to Jud
03/07 Rpt out - to 14th Ord

[S1342](#) by STATE AFFAIRS COMMITTEE

OPEN ACCESS TO WORK ACT - Adds to existing law relating to public works to provide for the Open Access To Work Act, to provide that the state and political subdivisions that contract for certain public works shall not require contractors, subcontractors, material suppliers and carriers engaged in specified activities associated with public works to pay their employees a predetermined amount of wages or wage rate or a type, amount or rate of employee benefits, to prohibit certain provisions in bid documents, specifications, project agreements and other controlling documents for public works construction contracts and to prohibit certain conduct, to provide for standing by interested parties, to provide for the award of attorney's fees and costs, and to provide that specified provisions do not prohibit or interfere with rights of employers or other parties to enter into agreements or engage in activities protected by the National Labor Relations Act.

02/23 Senate intro - 1st rdg - to printing
02/24 Rpt prt - to St Aff

[S1369](#) by JUDICIARY AND RULES COMMITTEE

LABOR DEPARTMENT - Adds to existing law to add a civil penalty for employers failing to report the hiring or rehiring of employees to the Department of Labor.

03/01 Senate intro - 1st rdg - to printing
03/02 Rpt prt - to Com/HuRes

[S1373](#) by STATE AFFAIRS COMMITTEE

LABOR- Amends and adds to existing law relating to labor to provide exceptions to applicability of certain penalty and civil remedy provisions; to provide for the Open Access to Work Act and to establish provisions relating to the Open Access to Work Act.

03/05 Senate intro - 1st rdg - to printing
03/06 Rpt prt - to St Aff

**Federal
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2011**

[H.R.42](#) : Health Care Incentive Act

Sponsor: [Rep Issa, Darrell E.](#) [CA-49] (introduced 1/5/2011) **Cosponsors** (None)

Committees: House Education and the Workforce

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To provide for a credit for certain health care benefits in determining the minimum wage.

[H.R.72](#) : New Jobs for America Act of 2011

Sponsor: [Rep Jackson Lee, Sheila](#) [TX-18] (introduced 1/5/2011) **Cosponsors** (None)

Committees: House Education and the Workforce

Related Bills: H.R.3638

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Higher Education and Workforce Training.

To authorize the Secretary of Labor to make grants to States, units of local government, and Indian tribes to carry out employment training programs.

[H.R.105](#) : Empowering Patients First Act

Sponsor: Rep Burton, Dan [IN-5] (introduced 1/5/2011) **Cosponsors** (None)

Committees: House Energy and Commerce; House Budget; House Education and the Workforce; House Natural Resources; House Administration; House Ways and Means; House Judiciary; House Rules; House Appropriations; House Oversight and Government Reform

Related Bills: H.R.1050, H.R.3000, S.1099

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To repeal the Patient Protection and Affordable Care Act and related health-care provisions and to enact in its place incentives to encourage health insurance coverage, and for other purposes.

[H.R.128](#) : To direct the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970.

Sponsor: [Rep Green, Gene](#) [TX-29] (introduced 1/5/2011) **Cosponsors** (None)

Committees: House Education and the Workforce

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To direct the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970.

[H.R.129](#) : Labor Relations First Contract Negotiations Act of 2011

Sponsor: [Rep Green, Gene](#) [TX-29] (introduced 1/5/2011) **Cosponsors** (None)

Committees: House Education and the Workforce

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes.

[H.R.130](#) : Life Insurance Employee Notification Act

Sponsor: [Rep Green, Gene](#) [TX-29] (introduced 1/5/2011) **Cosponsors** (None)

Committees: House Education and the Workforce; House Energy and Commerce

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

(a) Written Notice Required- Except as provided in subsection (b), not later than 30 days after the date on which an employer purchases an employer-owned insurance policy on the life of an employee (or a spouse or dependent of the employee), the employer shall provide to each employee for whom the employer carries such a policy a written notice that contains the following information:

- (1) A statement that the employer carries an employer-owned insurance policy on the life of the employee.
- (2) The identity of the insurance carrier of the policy.
- (3) The benefit amount of the policy.
- (4) The name of the beneficiary of the policy.

H.R.190 : Protecting America's Workers Act

Sponsor: [Rep Woolsey, Lynn C.](#) [CA-6] (introduced 1/5/2011) [Cosponsors](#) (2)

Committees: House Education and the Workforce

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or their family members, and for other purposes.

H.R.260 : Commute LESS Act of 2011

Sponsor: [Rep Sires, Albio](#) [NJ-13] (introduced 1/11/2011) [Cosponsors](#) (3)

Committees: House Transportation and Infrastructure

Latest Major Action: 1/12/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Highways and Transit.

- (1) engage employers in providing commuting alternatives to employees, including carpooling, vanpooling, use of transit, and teleworking;
- (2) leverage private investment with respect to alternative commuting; and

(3) reduce fuel consumption and provide energy independence by providing commuters with options for commuting to work other than driving in a vehicle occupied by a single individual.

[H.R.283](#) : Living American Wage (LAW) Act of 2011

Sponsor: [Rep Green, Al](#) [TX-9] (introduced 1/12/2011) [Cosponsors](#) (6)

Committees: House Education and the Workforce

Latest Major Action: 2/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 2, as determined by the Census Bureau.

[H.R.299](#) : To repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010

Sponsor: [Rep Broun, Paul C.](#) [GA-10] (introduced 1/18/2011) [Cosponsors](#) (1)

Committees: House Energy and Commerce; House Ways and Means; House Education and the Workforce; House Appropriations; House Judiciary; House Natural Resources; House Administration; House Rules

Latest Major Action: 2/1/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health.

Repeal the 7.5 percent threshold on the deduction for medical expenses, provide for increased funding for high-risk pools, allow acquiring health insurance across State lines, and allow for the creation of association health plans.

[H.R.321](#) : Equal Employment for All Act

Sponsor: [Rep Cohen, Steve](#) [TN-9] (introduced 1/19/2011) [Cosponsors](#) (21)

Committees: House Financial Services

Latest Major Action: 3/23/2011 Referred to House subcommittee. **Status:** Referred to the Subcommittee on Financial Institutions and Consumer Credit.

To amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.



[H.R.364](#) : Common Sense Health Reform Americans Actually Want Act

Sponsor: [Rep Latham, Tom](#) [IA-4] (introduced 1/20/2011) **Cosponsors** (None)

Committees: House Energy and Commerce; House Education and the Workforce; House Ways and Means; House Judiciary; House Administration; House Natural Resources; House Rules; House Appropriations

Latest Major Action: 2/28/2011 Referred to House subcommittee. **Status:** Referred to the Subcommittee on Health.

To repeal the Patient Protection and Affordable Care Act and to take meaningful steps to lower health care costs and increase access to health insurance coverage without raising taxes, cutting Medicare benefits for seniors, adding to the national deficit, intervening in the doctor-patient relationship, or instituting a government takeover of health care.

[H.R.369](#) : Health Savings and Affordability Act of 2011

Sponsor: [Rep Austria, Steve](#) [OH-7] (introduced 1/20/2011) **Cosponsors** (13)

Latest Major Action: 1/20/2011 Referred to House committee. **Status:** Referred to the House Committee on Ways and Means.

To amend the Internal Revenue Code of 1986 to improve access to health care by allowing a deduction for the health insurance costs of individuals, expanding health savings accounts, and for other purposes.

[H.R.382](#) : Income Equity Act of 2011

Sponsor: [Rep Lee, Barbara](#) [CA-9] (introduced 1/20/2011) **Cosponsors** (1)

Committees: House Ways and Means

Latest Major Action: 1/20/2011 Referred to House committee. **Status:** Referred to the House Committee on Ways and Means.



To amend the Internal Revenue Code of 1986 to limit the deductibility of excessive rates of executive compensation.

[H.R.397](#) : Reform Americans Can Afford Act of 2011

Sponsor: [Rep Herger, Wally](#) [CA-2] (introduced 1/24/2011) [Cosponsors](#) (12)

Committees: House Energy and Commerce; House Ways and Means; House Education and the Workforce; House Judiciary; House Administration; House Natural Resources; House Appropriations; House Rules

Latest Major Action: 2/9/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health.

To repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and to take meaningful steps to lower health care costs and increase access to health insurance coverage without raising taxes, cutting Medicare benefits for seniors, adding to the national deficit, intervening in the doctor-patient relationship, or instituting a government takeover of health care.

[H.R.530](#) : Worker Eligibility Fairness Act of 2011

Sponsor: Rep Baca, Joe [CA-43] (introduced 2/8/2011) [Cosponsors](#) (None)

Latest Major Action: 3/9/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Nutrition and Horticulture .

Amends the Food and Nutrition Act of 2008 to eliminate the provision making a federal, state, or local government employee who is dismissed for participating in a strike against the federal government, the state, or a political subdivision of the state ineligible for the Supplemental Nutrition Assistance Program (SNAP, formerly food stamps).

[H.R.548](#) : Restoring Democracy in the Workplace Act

Sponsor: Rep Gingrey, Phil [GA-11] (introduced 2/8/2011) [Cosponsors](#) (37)

Latest Major Action: 2/9/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Declares that a specified rule prescribed by the National Mediation Board relating to representation election procedures shall have no force or effect.

[H.R.623](#) : National Commission on State Workers' Compensation Laws Act of 2011

Sponsor: Rep Baca, Joe [CA-43] (introduced 2/10/2011) Cosponsors (6)

Latest Major Action: 3/4/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

National Commission on State Workers' Compensation Laws Act of 2011 - Establishes the National Commission on State Workers' Compensation Laws.

Requires the Commission to: (1) review the findings and recommendations of the previous National Commission on State Workmen's Compensation Laws, and (2) study and evaluate state workers' compensation laws to determine their adequacy and whether additional remedies should be available to ensure the payment of benefits and medical care.

[H.R.631](#) : WAGES Act

Sponsor: Rep Edwards, Donna F. [MD-4] (introduced 2/10/2011) Cosponsors (12)

Latest Major Action: 3/4/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To amend the Fair Labor Standards Act of 1938 to establish a base minimum wage for tipped employees.

[H.R.659](#) : Retirement Savings Access Act of 2011

Sponsor: Rep Broun, Paul C. [GA-10] (introduced 2/11/2011) Cosponsors (10)

Latest Major Action: 2/11/2011 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

To amend the Internal Revenue Code of 1986 to waive the 10-percent penalty with respect to early retirement distributions for certain unemployed individuals.

[H.R.682](#) : To amend the Internal Revenue Code of 1986 to increase the contribution limits to dependent care flexible spending accounts and to provide for a carryover of unused dependent care benefits.

Sponsor: Rep Sensenbrenner, F. James, Jr. [WI-5] (introduced 2/11/2011) [Cosponsors](#) (1)

Latest Major Action: 2/11/2011 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

To amend the Internal Revenue Code of 1986 to increase the contribution limits to dependent care flexible spending accounts and to provide for a carryover of unused dependent care benefits.

[H.R.735](#) : Government Neutrality in Contracting Act

Sponsor: [Rep Sullivan, John](#) [OK-1] (introduced 2/16/2011) [Cosponsors](#) (23)

Related Bills: [S.119](#), [S.1720](#)

Latest Major Action: 2/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform

Directs the head of any federal agency that awards or obligates funds for any construction contract, or that awards grants, provides financial assistance, or enters into cooperative agreements for construction projects, to ensure that bid specifications, project agreements, or other controlling documents do not: (1) require or prohibit a bidder, offeror, contractor, or subcontractor from entering into, or adhering to, agreements with a labor organization, with respect to that construction project or another related construction project; or (2) otherwise discriminate against or give preference to such a party because it did or did not become a signatory or otherwise adhere to such an agreement.

Allows exemptions to avert an imminent threat to public health or safety or to serve national security. Allows additional exemptions for certain projects.

Directs the Federal Acquisition Regulatory Council to amend the Federal Acquisition Regulation to implement this Act with respect to the applicable federal contracts.

[H.R.745](#) : Davis-Bacon Repeal Act

Sponsor: Rep King, Steve [IA-5] (introduced 2/16/2011) Cosponsors (1)

Related Bills: H.R.746, H.R.1846

Latest Major Action: 3/4/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To repeal the wage rate requirements commonly known as the Davis-Bacon Act.

[H.R.746](#) : Davis-Bacon Repeal Act

Sponsor: Rep Mack, Connie [FL-14] (introduced 2/16/2011) Cosponsors (15)

Related Bills: H.R.745, H.R.1846

Latest Major Action: 3/4/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To repeal the wage rate requirements commonly known as the Davis-Bacon Act.

[H.R.800](#) : Jobs Recovery by Ensuring a Legal American Workforce Act of 2011

Sponsor: Rep Carter, John R. [TX-31] (introduced 2/18/2011) Cosponsors (30)

Latest Major Action: 2/28/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Immigration Policy and Enforcement.

Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to make the E-Verify Program (Program) permanent and mandatory.

[H.R.972](#): Secret Ballot Protection Act

Sponsor: Rep Roe, David P. [TN-1] (introduced 3/9/2011) Cosponsors (19)

Related Bills: H.R.3487, S.217

Latest Major Action: 3/21/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the National Labor Relations Board.

[H.R.1028](#) : Equal Access to COBRA Act of 2011

Sponsor: [Rep Weiner, Anthony D.](#) [NY-9] (introduced 3/10/2011) [Cosponsors](#) (45)

Related Bills: [S.563](#), H.R.2310

Latest Major Action: 3/21/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

Amends COBRA to give domestic partners and domestic partners' children access to COBRA continuation coverage.

[H.R.1047](#) : State Right to Vote Act

Sponsor: [Rep Duncan, Jeff](#) [SC-3] (introduced 3/11/2011) [Cosponsors](#) (27)

Latest Major Action: 3/21/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To amend the National Labor Relations Act to protect State requirements for a secret ballot election of labor organizations.

[H.R.1113](#) : Fair Employment Act of 2011

Sponsor: [Rep Johnson, Henry C. "Hank," Jr.](#) [GA-4] (introduced 3/16/2011) [Cosponsors](#) (21)

Latest Major Action: 4/4/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions

To amend the Civil Rights Act of 1964 to prohibit discrimination on the basis of unemployment status.

[H.R.1163](#) : Patriot Corporations of America Act of 2011

Sponsor: Rep Schakowsky, Janice D. [IL-9] (introduced 3/17/2011) Cosponsors (10)

Latest Major Action: 3/17/2011 Referred to House committee. Status: Referred to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Grants after 2011 a preference to Patriot corporations in the evaluation of bids or proposals for federal contracts. Defines " Patriot corporation" as a corporation which: (1) produces at least 90% of its goods and services in the United States; (2) does not pay its management-level employees at a rate more than 10,000% of the compensation of its lowest paid employee; (3) conducts at least 50% of its research and development in the United States; (4) contributes at least 5% of its payroll to a portable pension fund for its employees; (5) pays at least 70% of its employees' health insurance costs; (6) maintains a policy of neutrality in employee organizing drives; (7) provides full differential salary and insurance benefits for all National Guard and Reserve employees who are called to active duty; and (8) has not violated federal regulations, including regulations relating to the environment, workplace safety, labor relations, and consumer protections.

[H.R.1173](#) : Fiscal Responsibility and Retirement Security Act of 2011

Sponsor: Rep Boustany, Charles W., Jr. [LA-7] (introduced 3/17/2011) Cosponsors (12)

Related Bills: S.720, [H.RES.522](#)

Latest Major Action: 2/28/2012 Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 331.

Repeals Title VIII of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119, 846-847).

[H.R.1184](#) : Health Care Waiver Transparency Act

Sponsor: Rep Issa, Darrell E. [CA-49] (introduced 3/17/2011) Cosponsors (5)

Related Bills: S.650

Latest Major Action: 3/28/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health.

To require greater transparency concerning the criteria used to grant waivers to the job-killing health care law and to ensure that applications for such waivers are treated in a fair and consistent manner, irrespective of the applicant's political contributions or association with a labor union, a health plan provided for under a collective bargaining agreement, or another organized labor group.

[H.R.1244](#) : Promotion and Expansion of Private Employee Ownership Act of 2011

Sponsor: Rep Reichert, David G. [WA-8] (introduced 3/29/2011) Cosponsors (6)

Latest Major Action: 4/15/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

[H.R.1322](#) : Earned Retiree Healthcare Benefits Protection Act of 2011

Sponsor: Rep Tierney, John F. [MA-6] (introduced 4/1/2011) Cosponsors (4)

Latest Major Action: 4/15/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To amend title I of the Employee Retirement Income Security Act of 1974 to provide protection for company-provided retiree health benefits.

[H.R.1397](#) : Employment Non-Discrimination Act

Sponsor: Rep Frank, Barney [MA-4] (introduced 4/6/2011) Cosponsors (123)

Related Bills: S.811

Latest Major Action: 7/11/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on the Constitution.

Employment Non-Discrimination Act - Prohibits employment discrimination on the basis of actual or perceived sexual orientation or gender identity by covered entities (employers, employment

agencies, labor organizations, or joint labor-management committees). Prohibits preferential treatment or quotas. Allows only disparate treatment claims. Prohibits related retaliation.

[H.R.1440](#) : Family and Medical Leave Enhancement Act of 2011

Sponsor: Rep Maloney, Carolyn B. [NY-14] (introduced 4/8/2011) Cosponsors (8)

Latest Major Action: 4/27/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy.

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities, and to clarify that leave may be taken for routine family medical needs and to assist elderly relatives, and for other purposes.

[H.R.1680](#) : Transportation Flexible Savings Accounts Act of 2011

Sponsor: Rep Weiner, Anthony D. [NY-9] (introduced 5/2/2011) Cosponsors (None)

Related Bills: S.924

Latest Major Action: 5/2/2011 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

Transportation Flexible Savings Accounts Act of 2011 - Amends the Internal Revenue Code to allow certain employer-provided transportation benefits (i.e., commuting and parking costs, transit passes) under tax-qualified flexible spending arrangements.

[H.R.1869](#) : Lifelong Learning Accounts Act of 2011

Sponsor: Rep Larson, John B. [CT-1] (introduced 5/12/2011) Cosponsors (3)

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Higher Education and Workforce Training.

To amend the Internal Revenue Code of 1986 to establish lifelong learning accounts to provide an incentive for employees to save for career-related skills development and to promote a competitive workforce through lifelong learning.

[H.R.1873](#) : Arbitration Fairness Act of 2011

Sponsor: Rep Johnson, Henry C. "Hank," Jr. [GA-4] (introduced 5/12/2011) Cosponsors (65)

Related Bills: S.987, H.R.4181

Latest Major Action: 6/1/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Courts, Commercial and Administrative Law.

The Congress finds the following:

- (1) The Federal Arbitration Act (now enacted as chapter 1 of title 9 of the United States Code) was intended to apply to disputes between commercial entities of generally similar sophistication and bargaining power.
- (2) A series of decisions by the Supreme Court of the United States have changed the meaning of the Act so that it now extends to consumer disputes and employment disputes.
- (3) Most consumers and employees have little or no meaningful choice whether to submit their claims to arbitration. Often, consumers and employees are not even aware that they have given up their rights.
- (4) Mandatory arbitration undermines the development of public law because there is inadequate transparency and inadequate judicial review of arbitrators' decisions.
- (5) Arbitration can be an acceptable alternative when consent to the arbitration is truly voluntary, and occurs after the dispute arises.

[H.R.1876](#) : Healthy Families Act

Sponsor: Rep DeLauro, Rosa L. [CT-3] (introduced 5/12/2011) Cosponsors (88)

Related Bills: S.984, H.R.2346

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To ensure that all working Americans can address their own health needs and the health needs of their families by requiring employers to permit employees to earn up to 56 hours of paid sick time including paid time for family care

[H.R.1976](#): Job Protection Act

Sponsor: Rep Scott, Tim [SC-1] (introduced 5/24/2011) Cosponsors (25)

Related Bills: S.964

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect.

[H.R.2010](#) : Family and Retirement Health Investment Act of 2011

Sponsor: Rep Paulsen, Erik [MN-3] (introduced 5/26/2011) Cosponsors (30)

Related Bills: S.1098

Latest Major Action: 8/25/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Courts, Commercial and Administrative Law.

To amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes.

[H.R.2040](#) : National Right-to-Work Act

Sponsor: Rep King, Steve [IA-5] (introduced 5/26/2011) Cosponsors (14)

Related Bills: S.504

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

[H.R.2109](#) : Savings Account for Every American Act of 2011

Sponsor: Rep Sessions, Pete [TX-32] (introduced 6/3/2011) Cosponsors (6)

Latest Major Action: 6/20/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy.

Allows employees and self-employed individuals with a Social Security number to elect to participate in a S.A.F.E. account. Defines such an account as a trust created exclusively for the benefit of an individual or his or her beneficiaries. Requires: (1) employers of electing employees to establish a payroll deduction program to make employee contributions (6.2% of wages) to such accounts, and (2) employer matching contributions after a participating employee has maintained an account for 15 years. Imposes penalties on employers who fail to make required payroll deductions or pay deducted wages to S.A.F.E. accounts.

[H.R.2118](#) : To amend the National Labor Relations Act relating to the authority to enjoin State laws that are preempted by or conflict with such Act.

Sponsor: Rep Chaffetz, Jason [UT-3] (introduced 6/3/2011) Cosponsors (2)

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

[H.R.2153](#) : Truth in Employment Act of 2011

Sponsor: Rep King, Steve [IA-5] (introduced 6/13/2011) Cosponsors (5)

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

Amends the National Labor Relations Act to provide that nothing in specified prohibitions against unfair labor practices by employers shall be construed as requiring an employer to employ any person who seeks or has sought employment with the employer in furtherance of other employment or agency status.

[H.R.2234](#) : CARE Act of 2011

Sponsor: Rep Roybal-Allard, Lucille [CA-34] (introduced 6/16/2011) Cosponsors (None)

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To amend the Fair Labor Standards Act of 1938 to strengthen the provisions relating to child labor.

[H.R.2310](#) : Equal Access to COBRA Act of 2011

Sponsor: Rep Speier, Jackie [CA-12] (introduced 6/23/2011) Cosponsors (50)

Related Bills: H.R.1028, S.563

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

An act to allow domestic partners and their children access to COBRA in the same manner traditional spouses and their children would have access.

[H.R.2346](#) : Balancing Act of 2011

Sponsor: Rep Woolsey, Lynn C. [CA-6] (introduced 6/23/2011) Cosponsors (29)

Related Bills: H.R.1440, H.R.1876, H.R.3151, S.984

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Early Childhood, Elementary, and Secondary Education.

To improve the lives of working families by providing family and medical need assistance, child care assistance, in-school and after school assistance, family care assistance, and encouraging the establishment of family-friendly workplaces.

[H.R.2364](#) : Family and Medical Leave Inclusion Act

Sponsor: Rep Maloney, Carolyn B. [NY-14] (introduced 6/24/2011) Cosponsors (23)

Related Bills: S.1283



Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to permit leave to care for a domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition, and for other purposes.

[H.R.2481](#) : Expanding Dependent and Child Care Act of 2011

Sponsor: Rep Yarmuth, John A. [KY-3] (introduced 7/8/2011) Cosponsors (2)

Related Bills: S.435

Latest Major Action: 7/8/2011 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

To amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance.

[H.R.2501](#) : Fair Employment Opportunity Act of 2011



Sponsor: Rep DeLauro, Rosa L. [CT-3] (introduced 7/12/2011) Cosponsors (35)

Related Bills: H.R.3638, S.1471

Latest Major Action: 9/8/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To prohibit discrimination in employment on the basis of an individual's status or history of unemployment.

[H.R.2587](#) : Protecting Jobs From Government Interference Act

Sponsor: Rep Scott, Tim [SC-1] (introduced 7/19/2011) Cosponsors (18)

Related Bills: H.RES.372, S.1523, S.1720

Latest Major Action: 9/16/2011 Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 173.

Amends the National Labor Relations Act to deny the National Labor Relations Board (NLRB) any power to: (1) order an employer (or seek an order against an employer) to restore or reinstate any work, product, production line, or equipment; (2) rescind any relocation, transfer, subcontracting, outsourcing, or other change regarding the location, entity, or employer who shall be engaged in production or other business operations; or (3) require any employer to make an initial or additional investment at a particular plant, facility, or location.

Applies the amendment made by this Act to any complaint for which a final adjudication by the NLRB has not been made by the date of enactment.

[H.R.2810](#) : Employee Rights Act

Sponsor: Rep Scott, Tim [SC-1] (introduced 8/5/2011) **Cosponsors** (None)

Related Bills: S.1425, S.1507

Latest Major Action: 8/5/2011 Referred to House committee. Status: Referred to the House Committee on Education and the Workforce.

To provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organizations.

[H.R.2742](#) : Hire, Train, Retain Act of 2011

Sponsor: Rep Fudge, Marcia L. [OH-11] (introduced 8/1/2011) **Cosponsors** (None)

Latest Major Action: 8/1/2011 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

To amend the Internal Revenue Code of 1986 to provide tax incentives to employers for providing training programs for jobs specific to the needs of the employers.

[H.R.2833](#) : Employee Workplace Freedom Act

Sponsor: Rep Quayle, Benjamin [AZ-3] (introduced 9/2/2011) **Cosponsors** (55)

Related Bills: S.1666, H.R.2854

Latest Major Action: 11/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To repeal the rule requiring employers to post notices relating to the National Labor Relations Act.

[H.R.2854](#) : Employer Free Choice Act

Sponsor: Rep DesJarlais, Scott [TN-4] (introduced 9/7/2011) Cosponsors (59)

Related Bills: S.1666, H.R.2833

Latest Major Action: 11/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To repeal the rule relating to the notification of employee rights under the National Labor Relations Act.

[H.R.2926](#) : National Labor Relations Reorganization Act of 2011

Sponsor: Rep Gowdy, Trey [SC-4] (introduced 9/14/2011) Cosponsors (18)

Latest Major Action: 11/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To abolish the National Labor Relations Board and to transfer its enforcement authority to the Department of Justice and its oversight of elections to the Office of Labor-Management Standards of the Department of Labor.

[H.R.2978](#) : Protecting American Jobs Act

Sponsor: Rep Scott, Austin [GA-8] (introduced 9/20/2011) Cosponsors (33)

Latest Major Action: 11/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

To amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices.

[H.R.3086](#) : Fair Wages for Workers with Disabilities Act of 2011 

Sponsor: Rep Stearns, Cliff [FL-6] (introduced 10/4/2011) Cosponsors (3)

Latest Major Action: 11/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To phase out special wage certificates under the Fair Labor Standards Act of 1938 under which individuals with disabilities may be employed at subminimum wage rates.

[H.R.3094](#) : Workforce Democracy and Fairness Act 

Sponsor: Rep Kline, John [MN-2] (introduced 10/5/2011) Cosponsors (22)

Related Bills: H.RES.470, S.1843

Latest Major Action: 12/16/2011 Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 262.

To amend the National Labor Relations Act with respect to representation hearings and the timing of elections of labor organizations under that Act.

[H.R.3151](#) : Domestic Violence Leave Act 

Sponsor: Rep Woolsey, Lynn C. [CA-6] (introduced 10/11/2011) Cosponsors (5)

Related Bills: H.R.2346

Latest Major Action: 11/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow employees leave to address domestic violence, sexual assault, or stalking and their effects, and to include leave to care for domestic partners under the Act, and for other purposes.

[H.R.3178](#) : Employee Misclassification Prevention Act 

Sponsor: Rep Woolsey, Lynn C. [CA-6] (introduced 10/13/2011) Cosponsors (2)

Related Bills: S.770, H.R.3638

Latest Major Action: 11/18/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

To amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes.

[H.R.3271](#) : Security and Financial Empowerment Act

Sponsor: Rep Roybal-Allard, Lucille [CA-34] (introduced 10/27/2011) Cosponsors (14)

Committees: House Education and the Workforce; House Financial Services; House Ways and Means; House Judiciary

Latest Major Action: 11/2/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Amends the Violence Against Women Act (VAWA) to set forth entitlement standards and implementation guidelines for employee use of emergency leave to address domestic violence, dating violence, sexual assault, or stalking (domestic or sexual violence). Prohibits: (1) any employer from interfering with the exercise of any right provided under this Act; or (2) discrimination against any individual for exercising any such right, opposing any practice made unlawful by this Act, or instituting any proceeding under this Act. Establishes a private right of action to enforce this Act. Directs the Secretary of Labor to receive, investigate, and attempt to resolve complaints of violations of this Act. Permits victims of domestic or sexual violence to substitute existing leave in lieu of emergency leave.

[H.R.3471](#) : Helping Individuals Return to Employment Act

Sponsor: Rep Tsongas, Niki [MA-5] (introduced 11/17/2011) Cosponsors (None)

Committees: House Education and the Workforce; House Ways and Means

Latest Major Action: 11/17/2011 Referred to House committee. Status: Referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Authorizes the Secretary of Labor to award competitive grants to eligible entities to hire unemployed individuals age 16 and older to perform a minimum of 20 hours per week of work to benefit certain communities, including activities such as public works, beautification, historic restoration, tutoring, and adult education.

Restricts such grants to eligible entities located in or primarily serving in a community designated either as a renewal community, an empowerment zone, or a historically underutilized business zone (HUBZone), if the unemployment rate in the area is higher than 7% during the 3-month period preceding award of the grant.

Requires that priority in the award of grants be given to individuals who have been unemployed for more than a year.

[H.R.3487](#) : Job Creation Act of 2011

Sponsor: [Rep Buchanan, Vern](#) [FL-13] (introduced 11/18/2011)

Cosponsors (None)

Committees: House Ways and Means; House Natural Resources; House Judiciary; House Energy and Commerce; House Science, Space, and Technology; House Education and the Workforce; House Small Business; House Oversight and Government Reform

Latest Major Action: 12/2/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Courts, Commercial and Administrative Law.

Title VI: Repeal of Employer Health Insurance Mandate - Amends the Internal Revenue Code to repeal provisions added by the Patient Protection and Affordable Care Act requiring certain employers who have a workforce of 50 or more full-time employees to provide health insurance coverage for their employees.

Title VII: Secret Ballot Protection Act - Secret Ballot Protection Act - Amends the National Labor Relations Act to make it an unfair labor practice for: (1) an employer to recognize or bargain collectively with a labor organization that has not been selected by a majority of the employees in a unit appropriate for such purposes in a secret ballot election conducted by the National Labor Relations Board (NLRB), or (2) a labor organization to cause or attempt to cause an employer to recognize or bargain collectively with a representative that has not been selected in such manner.

[H.R.3493](#) : National Commission on Employment and Economic Security Act

Sponsor: [Rep Hastings, Alcee L.](#) [FL-23] (introduced 11/18/2011) **Cosponsors** (None)

Committees: House Education and the Workforce

Latest Major Action: 11/18/2011 Referred to House committee. Status: Referred to the House Committee on Education and the Workforce.

Establishes the National Commission on Employment and Economic Security to: (1) examine the effects of economic and psychological insecurity caused by employment displacement. and the decreasing number of well-paid jobs on U.S. workers and their families; and (2) recommend to the President and Congress potential solutions, including legislative and administrative action, to alleviate such problems.

[H.R.3538](#) : To amend the Railway Labor Act to direct the National Mediation Board to apply the same procedures, including voting standards, to the direct decertification of a labor organization as is applied to elections to certify a representative, and for other purposes.

Sponsor: [Rep Mica, John L.](#) [FL-7] (introduced 12/1/2011) **Cosponsors** (161)

Committees: House Transportation and Infrastructure

Latest Major Action: 12/2/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Amends the Railway Labor Act to require the National Mediation Board to apply the same procedures, including voting standards, to the direct decertification of a labor organization as are applied to elections to certify a representative.

[H.R.3601](#) : Ensuring Quality in the Unemployment Insurance Program (EQUIP) Act

Sponsor: [Rep Kingston, Jack](#) [GA-1] (introduced 12/7/2011) **Cosponsors** (6)

Committees: House Ways and Means; House Energy and Commerce

Latest Major Action: 12/9/2011 Referred to House subcommittee. Status: Referred to the Subcommittee on Health.

To amend title III of the Social Security Act to require a substance abuse risk assessment and targeted drug testing as a condition for the receipt of unemployment benefits, and for other purposes.

[H.R.3615](#) : Accountability in Unemployment Act of 2011

Sponsor: [Rep Pearce, Stevan](#) [NM-2] (introduced 12/8/2011) [Cosponsors](#) (19)

Committees: House Ways and Means

Latest Major Action: 12/8/2011 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

Amends title III (Grants to States for Unemployment Compensation) of the Social Security Act to require state laws to deny unemployment compensation to applicants unless they undergo drug testing and test negative.

Requires a retest after a 30-day waiting period for applicants who test positive for any one of several specified drugs.

Denies unemployment compensation for five years to any applicant who tests positive for drugs three or more times.

[H.R.3697](#) : Mine Safety Accountability and Improved Protection Act

Sponsor: [Rep Capito, Shelley Moore](#) [WV-2] (introduced 12/16/2011) [Cosponsors](#) (1)

Committees: House Education and the Workforce; House Budget

Latest Major Action: 12/16/2011 Referred to House committee. Status: Referred to the Committee on Education and the Workforce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

To honor the Nation's fallen miners by requiring improved mine safety practices and compliance in order to prevent future mine accidents.

[H.R.3708](#) : To prohibit the Secretary of Labor from issuing a final rule that prevents the agricultural employment of minors to detassel.

Sponsor: [Rep Fortenberry, Jeff](#) [NE-1] (introduced 12/16/2011) [Cosponsors](#) (1)

Committees: House Education and the Workforce

Latest Major Action: 12/16/2011 Referred to House committee. Status: Referred to the House Committee on Education and the Workforce.

Prohibits the Secretary of Labor from issuing a final rule that prevents or otherwise affects the agricultural employment of minors to detassel, rogue, or otherwise engage in seed production or related and incidental agricultural employment.

[H.R.3715](#) : Online Job Training Act of 2011

Sponsor: [Rep Holt, Rush D.](#) [NJ-12] (introduced 12/16/2011) [Cosponsors](#) (None)

Committees: House Education and the Workforce

Latest Major Action: 12/16/2011 Referred to House committee. Status: Referred to the House Committee on Education and the Workforce.

To encourage online workforce training.

[H.R.3748](#) : America Realizing the Informational Skills and Initiative of New Graduates Act of 2011

Sponsor: [Rep Richardson, Laura](#) [CA-37] (introduced 12/20/2011) [Cosponsors](#) (2)

Committees: House Education and the Workforce

Latest Major Action: 12/20/2011 Referred to House committee. Status: Referred to the House Committee on Education and the Workforce.

To establish a grant program for stipends to assist in the cost of compensation paid by employers to certain recent college graduates and to provide funding for their further education in subjects relating to mathematics, science, engineering, and technology.

[H.R.3991](#) : Keep Employees' Emails and Phones Secure Act

Sponsor: [Rep Adams, Sandy](#) [FL-24] (introduced 2/9/2012) [Cosponsors](#) (37)

Committees: House Education and the Workforce

Latest Major Action: 2/9/2012 Referred to House committee. Status: Referred to the House Committee on Education and the Workforce.

To prohibit the National Labor Relations Board from requiring that employers provide to the Board or to a labor organization the telephone number or email address of any employee.

[H.R.4050](#) : Retirement Plan Simplification and Enhancement Act of 2012

Sponsor: [Rep Neal, Richard E.](#) [MA-2] (introduced 2/16/2012) [Cosponsors](#) (None)

Committees: House Ways and Means; House Education and the Workforce

Latest Major Action: 2/16/2012 Referred to House committee. Status: Referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

To simplify and enhance qualified retirement plans, and for other purposes.

[H.R.4074](#) : Freedom From Union Violence Act of 2012

Sponsor: [Rep Broun, Paul C.](#) [GA-10] (introduced 2/17/2012) [Cosponsors](#) (2)

Committees: House Judiciary

Latest Major Action: 2/28/2012 Referred to House subcommittee. Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Amends the Hobbs Act to authorize imposition of a fine of up to \$100,000, 20 years' imprisonment, or both for: (1) obstructing, delaying, or affecting commerce or the movement of any article or commodity in commerce by robbery or extortion (or attempting or conspiring to do so); and (2) threatening physical violence to any person or property in furtherance of a plan or purpose to interfere with commerce by threats or violence.

Makes provisions regarding any such interference inapplicable to conduct that: (1) is incidental to otherwise peaceful picketing during the course of a labor dispute; (2) consists solely of minor bodily

injury, or minor damage to property, or threat or fear of such minor injury or damage; and (3) is not part of a pattern of violent conduct or of coordinated violent activity. Subjects such conduct to prosecution only by the appropriate state and local authorities.

[H.R.4106](#) : Working Families Flexibility Act

Sponsor: [Rep Maloney, Carolyn B.](#) [NY-14] (introduced 2/29/2012) [Cosponsors](#) (3)

Committees: House Education and the Workforce; House Oversight and Government Reform; House Administration; House Judiciary

Latest Major Action: 3/6/2012 Referred to House subcommittee. Status: Referred to the Subcommittee on Courts, Commercial and Administrative Law.

To permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes.

[H.R.4181](#) : To amend title 9, United States Code, to exclude employment contracts and employment disputes from such title.

Sponsor: Rep Andrews, Robert E. [NJ-1] (introduced 3/8/2012) [Cosponsors](#) (None)

Related Bills: H.R.987, H.R.1873

Latest Major Action: 3/8/2012 Referred to House committee. Status: Referred to the House Committee on the Judiciary.

No predispute arbitration agreement shall be valid or enforceable if it requires arbitration of an employment dispute. The term 'employment dispute' means a dispute between an employer and employee arising out of the relationship of employer and employee.

[S.10](#) : Family Economic Success Act

Sponsor: [Sen Reid, Harry](#) [NV] (introduced 1/25/2011) [Cosponsors](#) (8)

Latest Major Action: 1/25/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

It is the sense of the Senate that Congress should--
(1) guarantee pay equity for women;

- (2) reward companies that promote flexible work environments for working parents with children, and workers who are caregivers;
 - (3) guarantee paid family and medical leave and paid sick days; and
 - (4) improve the quality and affordability of child care.
-

S.20 : American Job Protection Act

Sponsor: [Sen Hatch, Orrin G.](#) [UT] (introduced 1/25/2011) [Cosponsors](#) (25)

Latest Major Action: 1/25/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Repeals provisions of the Patient Protection and Affordable Care Act that require large employers to offer their full-time employees the opportunity to enroll in minimum essential coverage. Applies the Internal Revenue Code as if such provisions had never been enacted.

S.119 : Government Neutrality in Contracting Act

Sponsor: [Sen Vitter, David](#) [LA] (introduced 1/25/2011) [Cosponsors](#) (None)

Related Bills: H.R.735, S.1720

Latest Major Action: 1/25/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

To preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S.145 : Older Worker Opportunity Act of 2011

Sponsor: Sen Kohl, Herb [WI] (introduced 1/25/2011) [Cosponsors](#) (None)

Latest Major Action: 1/25/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Amends the Internal Revenue Code to allow employers who maintain a tax-qualified pension or retirement plan and who provide health insurance coverage a business-related tax credit for 25% of the first \$6,000 of the wages of employees who have attained the age of 62 and who are participating in a formal flexible work program.

Defines "formal flexible work program" as a work program: (1) that consists of core and flex time; (2) whose core time does not exceed 20 hours per week, three days per week, or 1,000 hours per year; (3) that allows participation for at least one year; and (4) that does not permit a change or reduction in the health care or pension benefits of the participating employee.

[S.153](#) : Robert C. Byrd Mine and Workplace Safety and Health Act of 2011

Sponsor: Sen Rockefeller, John D., IV [WV] (introduced 1/25/2011) **Cosponsors** (3)

Related Bills: H.R.1579, H.R.3697

Latest Major Action: 1/25/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Amends the Federal Mine Safety and Health Act of 1977 in numerous ways.

Amends the Occupational Safety and Health Act of 1970 to revise certain employee protections against discrimination.

Prescribes an employee's victim rights before the Secretary or before the Occupational Safety and Health Review Commission with respect to: (1) inspections or investigations of employer violations of federal occupational safety and health standards; or (2) a work-related bodily injury or death.

Prescribes administrative requirements for an employer's correction of a serious, willful, or repeated violation of federal occupational safety and health standards pending contest and procedures for a stay. Increases civil penalties for such violations.

Subjects to certain increased criminal penalties an employer who knowingly violates a federal occupational safety and health standard, or regulation prescribed by such Act, that causes or contributes to the death of an employee. Adds penalties for a knowing violation that causes or contributes to serious bodily harm to any employee but does not cause any employee's death.

[S.217](#) : Secret Ballot Protection Act of 2011

Sponsor: [Sen DeMint, Jim](#) [SC] (introduced 1/27/2011) **[Cosponsors](#)** (20)

Related Bills: H.R.972, H.R.3487

Latest Major Action: 1/27/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the National Labor Relations Board.

[S.504](#) : National Right-to-Work Act

Sponsor: Sen DeMint, Jim [SC] (introduced 3/8/2011) Cosponsors (9)

Related Bills: H.R.2040

Latest Major Action: 3/8/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

[S.563](#) : Equal Access to COBRA Act of 2011

Sponsor: [Sen Boxer, Barbara](#) [CA] (introduced 3/10/2011) Cosponsors (None)

Related Bills: [H.R.1028](#), [H.R.2310](#)

Latest Major Action: 3/10/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Amends COBRA to give domestic partners and domestic partners' children access to COBRA continuation coverage.

[S.650](#) : Latest Title: Health Care Waiver Transparency Act

Sponsor: Sen Ensign, John [NV] (introduced 3/17/2011) Cosponsors (None)

Related Bills: H.R.1184

Latest Major Action: 3/17/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To require greater transparency concerning the criteria used to grant waivers to the job-killing health care law and to ensure that applications for such waivers are treated in a fair and consistent

manner, irrespective of the applicant's political contributions or association with a labor union, a health plan provided for under a collective bargaining agreement, or another organized labor group.

[S.720](#) : Repeal the CLASS Entitlement Act

Sponsor: Sen Thune, John [SD] (introduced 4/4/2011) Cosponsors (30)

Related Bills: H.R.1173

Latest Major Action: 4/4/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Repeal- Title XXXII of the Public Health Service Act (42 U.S.C. 30011 et seq.; relating to the CLASS program) is repealed.

[S.770](#) : Payroll Fraud Prevention Act 

Sponsor: Sen Brown, Sherrod [OH] (introduced 4/8/2011) Cosponsors (2)

Related Bills: H.R.3178

Latest Major Action: 4/8/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes.

[S.788](#) : Fair Pay Act of 2011

Sponsor: Sen Harkin, Tom [IA] (introduced 4/12/2011) Cosponsors (8)

Related Bills: H.R.1493

Latest Major Action: 4/12/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Amends the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin. (Allows payment of different wages under seniority

systems, merit systems, systems that measure earnings by quantity or quality of production, or differentials based on bona fide factors that the employer demonstrates are job-related or further legitimate business interests.)

Prohibits the discharge of, or any other discrimination against, an individual for opposing any act or practice made unlawful by this Act, or for assisting in an investigation or proceeding under it.

Directs courts, in any action brought under this Act for violation of such prohibition, to allow expert fees as part of the costs awarded to prevailing plaintiffs. Allows any such action to be maintained as a class action.

Directs the Equal Employment Opportunity Commission (EEOC) to: (1) undertake studies and provide information and technical assistance to employers, labor organizations, and the general public concerning effective means available to implement this Act; and (2) carry on a continuing program of research, education, and technical assistance with specified components related to the purposes of this Act.

Makes conforming amendments relating to congressional and executive branch employees to the Congressional Accountability Act of 1995 and the Presidential and Executive Office Accountability Act.

[S.924](#) : Family Account to Save on Transportation Act of 2011

Sponsor: Sen Begich, Mark [AK] (introduced 5/9/2011) Cosponsors (None)

Related Bills: H.R.1680

Latest Major Action: 5/9/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To amend the Internal Revenue Code of 1986 to provide commuter flexible spending arrangements, and for other purposes.

[S.964](#) : Job Protection Act

Sponsor: Sen Alexander, Lamar [TN] (introduced 5/12/2011) Cosponsors (35)

Related Bills: H.R.1976

Latest Major Action: 5/12/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect.

[S.984](#) : Healthy Families Act

Sponsor: Rep DeLauro, Rosa L. [CT-3] (introduced 5/12/2011) Cosponsors (88)

Related Bills: H.R.1876, H.R.2346

Latest Major Action: 5/12/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions

To ensure that all working Americans can address their own health needs and the health needs of their families by requiring employers to permit employees to earn up to 56 hours of paid sick time including paid time for family care

[S.987](#) : Arbitration Fairness Act of 2011

Sponsor: Sen Franken, Al [MN] (introduced 5/12/2011) Cosponsors (12)

Related Bills: H.R.1873

Latest Major Action: 10/13/2011 Senate committee/subcommittee actions. Status: Committee on the Judiciary. Hearings held.

The Congress finds the following:

- (1) The Federal Arbitration Act (now enacted as chapter 1 of title 9 of the United States Code) was intended to apply to disputes between commercial entities of generally similar sophistication and bargaining power.
- (2) A series of decisions by the Supreme Court of the United States have changed the meaning of the Act so that it now extends to consumer disputes and employment disputes.
- (3) Most consumers and employees have little or no meaningful choice whether to submit their claims to arbitration. Often, consumers and employees are not even aware that they have given up their rights.

(4) Mandatory arbitration undermines the development of public law because there is inadequate transparency and inadequate judicial review of arbitrators' decisions.

(5) Arbitration can be an acceptable alternative when consent to the arbitration is truly voluntary, and occurs after the dispute arises.

[S.1186](#) : Fair Arbitration Act of 2011

Sponsor: Sen Sessions, Jeff [AL] (introduced 6/13/2011) Cosponsors (None)

Latest Major Action: 6/13/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on the Judiciary.

To amend chapter 1 of title 9, United States Code, to establish fair procedures for arbitration clauses in contracts.

[S.1232](#) : A bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans.

Sponsor: Sen Ayotte, Kelly [NH] (introduced 6/20/2011) Cosponsors (4)

Latest Major Action: 6/20/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans.

[S.1358](#) : Parental Bereavement Act of 2011



Sponsor: Sen Tester, Jon [MT] (introduced 7/13/2011) Cosponsors (None)

Latest Major Action: 7/13/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

[S.1375](#) : Ending Excessive Corporate Deductions for Stock Options Act

Sponsor: Sen Levin, Carl [MI] (introduced 7/14/2011) Cosponsors (2)

Related Bills: S.2075

Latest Major Action: 7/14/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To amend the Internal Revenue Code of 1986 to provide that corporate tax benefits based upon stock option compensation expenses be consistent with accounting expenses shown in corporate financial statements for such compensation.

[S.1425](#) : Fair Representation in Elections Act of 2011

Sponsor: Sen DeMint, Jim [SC] (introduced 7/27/2011) Cosponsors (6)

Related Bills: H.R.2810, S.1507

Latest Major Action: 7/27/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To amend the National Labor Relations Act to ensure fairness in election procedures with respect to collective bargaining representatives.

[S.1471](#) : Fair Employment Opportunity Act of 2011

Sponsor: Sen Blumenthal, Richard [CT] (introduced 8/2/2011) Cosponsors (2)

Related Bills: H.R.2501

Latest Major Action: 8/2/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To prohibit discrimination in employment on the basis of an individual's status or history of unemployment.

[S.1507](#) : Employee Rights Act

Sponsor: Sen Hatch, Orrin G. [UT] (introduced 8/2/2011) Cosponsors (3)

Related Bills: H.R.2810, S.1425

Latest Major Action: 8/2/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

[S.1512](#) : Promotion and Expansion of Private Employee Ownership Act of 2011

Sponsor: Sen Cardin, Benjamin L. [MD] (introduced 9/6/2011) **Cosponsors** (8)

Related Bills: H.R.1244

Latest Major Action: 9/6/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

[S.1523](#) : Protecting Jobs From Government Interference Act

Sponsor: Sen Graham, Lindsey [SC] (introduced 9/8/2011) Cosponsors (14)

Related Bills: H.R.2587, S.1720

Latest Major Action: 9/8/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To prohibit the National Labor Relations Board from ordering any employer to close, relocate, or transfer employment under any circumstance.

[S.1538](#) : Regulatory Time-Out Act of 2011

Sponsor: Sen Collins, Susan M. [ME] (introduced 9/12/2011) Cosponsors (24)

Related Bills: H.R.3194, H.R.3257, S.1786

Latest Major Action: 9/12/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

This bill would suspend a regulation for a period of one year if the regulation directly or indirectly increases costs on business in a manner which would have an adverse effect on job creation, job retention, or competitiveness.

[S.1644](#) : Workforce Health Improvement Program Act of 2011

Sponsor: Sen Cornyn, John [TX] (introduced 10/4/2011) Cosponsors (1)

Latest Major Action: 10/4/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

[S.1666](#) : Employer Free Speech Act

Sponsor: Sen Thune, John [SD] (introduced 10/6/2011) Cosponsors (None)

Related Bills: H.R.2833, H.R.2854

Latest Major Action: 10/6/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To prohibit the implementation of certain rules of the National Labor Relations Board relating to the posting of notices on unionization.

[S.1743](#) : Learn to Earn Reemployment Training Improvement Act of 2011

Sponsor: [Sen Brown, Scott P.](#) [MA] (introduced 10/20/2011) **Cosponsors** (None)

Committees: Senate Health, Education, Labor, and Pensions

Latest Major Action: 10/20/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Establishes the Learn to Earn program to facilitate the reemployment of individuals receiving emergency unemployment compensation (EUC claimants) under title IV of the Supplemental Appropriations Act, 2008.

Requires the Director of the Office of Management and Budget (OMB) to analyze federal job training programs and recommend to Congress their termination or consolidation sufficient to result in total savings of at least \$100 million per fiscal year.

Prescribes legislative procedures for consideration in both chambers of proposed legislative language (job training bill) for program terminations or consolidations.

Directs the Secretary to make certain allotments (out of funds saved from program terminations and consolidations) to states with approved state plans to establish State Learn to Earn programs to increase reemployment opportunities for EUC claimants by providing them with short-term work experience placements with eligible employers. Prescribes program requirements.

Requires a State Learn to Earn program to give participants emergency unemployment compensation (including augmented wages, if necessary) for work performed. Authorizes a program also to provide supportive services to a participant, such as transportation, child care, and dependent care.

[S.1747](#): Computer Professionals Update Act

Sponsor: [Sen Hagan, Kay](#) [NC] (introduced 10/20/2011) [Cosponsors](#) (6)

Committees: Senate Health, Education, Labor, and Pensions

Latest Major Action: 10/20/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Amends the Fair Labor Standards Act of 1938 to revise and expand the exemption from overtime and minimum wage requirements for any employee who is an analyst, computer programmer, software engineer, or other skilled worker.

Extends the exemption to any employee working broadly in a computer or information technology (IT) occupation, including but not limited to work related to computers, information systems, components, networks, software, hardware, databases, security, the Internet, intranet, or websites. Adds to the current occupations cited designer, developer, and administrator.

Applies such exemption to IT professionals: (1) whose primary duties include, among other things, network or database analysis, consulting with users, and directing the work or training of individuals performing such duties; and (2) who are paid at a rate of at least \$27.63 an hour (as under current law) or on a salary basis. (Effectively, eliminates overtime pay for all IT professionals.)

[S.1843](#) : Representation Fairness Restoration Act

Sponsor: [Sen Isakson, Johnny](#) [GA] (introduced 11/10/2011) [Cosponsors](#) (29)

Committees: Senate Health, Education, Labor, and Pensions

Latest Major Action: 11/10/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Amends the National Labor Relations Act (NLRA) to revise requirements for determination by the National Labor Relation Board (NLRB) of an appropriate bargaining unit before an election of collective bargaining representation. (In effect reverses the NLRB's August 26, 2011, decision in *Specialty Healthcare and Rehabilitation of Mobile* and its June 22, 2011, rulemaking regarding proposed changes to procedures involving the election of collective bargaining representation.)

Replaces the current restriction in the meaning of collective bargaining unit to employer unit, craft unit, plant unit, or subdivision. Requires the NLRB, instead, to determine a unit as appropriate for collective bargaining if it consists of employees that share a sufficient community of interest. Specifies factors the NLRB must consider when making such determinations.

Prohibits exclusion of employees from the unit unless the group's interest are sufficiently distinct from those of other employees to warrant the establishment of a separate unit.

[S.1861](#) : Pathways Back to Work Act of 2011

Sponsor: [Sen Blumenthal, Richard](#) [CT] (introduced 11/15/2011) [Cosponsors](#) (None)

Committees: Senate Health, Education, Labor, and Pensions

Latest Major Action: 11/15/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Establishes in the Treasury the Pathways Back to Work Fund, with an initial appropriation of \$5 billion.

Requires the Secretary of Labor to make certain Fund allocations to states with approved plans, qualifying outlying areas (U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau), and Native American program grantees to provide: (1) subsidized employment to unemployed, low-income adults; and (2) summer and year-round employment opportunities to low-income youth.

Requires the Secretary to award competitive grants to local entities for work-based training and other work-related and educational strategies and activities of demonstrated effectiveness to provide unemployed, low-income adults and low-income youths with skills that will lead to employment.

Subjects activities funded under this Act to federal labor standards and nondiscrimination protections.

[S.1885](#): Responsible Unemployment Extension Act

Sponsor: [Sen Heller, Dean](#) [NV] (introduced 11/17/2011) [Cosponsors](#) (1)

Committees: Senate Finance

Latest Major Action: 11/17/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

Amends the Supplemental Appropriations Act, 2008 with respect to the state-established individual emergency unemployment compensation account (EUCA). Extends the final date for entering a federal-state agreement under the Emergency Unemployment Compensation (EUC) program through January 3, 2013. Postpones the termination of the program until June 8, 2013.

Amends the Assistance for Unemployed Workers and Struggling Families Act to extend until January 4, 2013, requirements that federal payments to states cover 100% of EUC.

Amends the Unemployment Compensation Extension Act of 2008 to exempt weeks of unemployment between enactment of this Act and June 9, 2013, from the prohibition in the Federal-State Extended Unemployment Compensation Act of 1970 against federal matching payments to a state for the first week in an individual's eligibility period for which extended compensation or sharable regular compensation is paid if the state law provides for payment of regular compensation to an individual for his or her first week of otherwise compensable unemployment. (Thus allows temporary federal matching for the first week of extended benefits for states with no waiting period.)

Rescinds specified unobligated discretionary funds. Requires the Director of the Office of Management and Budget (OMB) to determine and identify from which appropriation accounts such rescissions shall apply, including their amounts.

Exempts from rescission any unobligated funds of the Department of Defense (DOD), the Department of Veterans Affairs (VA), or the Army Corps of Engineers.

[S.1950](#) : Commercial Motor Vehicle Safety Enhancement Act of 2011

Sponsor: [Sen Lautenberg, Frank R.](#) [NJ] (introduced 12/7/2011) [Cosponsors](#) (2)

Committees: Senate Commerce, Science, and Transportation

Latest Major Action: 12/14/2011 Senate committee/subcommittee actions. Status: Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.

To amend title 49, United States Code, to improve commercial motor vehicle safety and reduce commercial motor vehicle-related accidents and fatalities, to authorize the Federal Motor Carrier Safety Administration, and for other purposes.

[S.1977](#) : Driver Fatigue Prevention Act

Sponsor: [Sen Schumer, Charles E.](#) [NY] (introduced 12/12/2011) [Cosponsors](#) (None)

Committees: Senate Health, Education, Labor, and Pensions

Latest Major Action: 12/12/2011 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To amend the Fair Labor Standards Act of 1938 to provide that over-the-road bus drivers are covered under the maximum hours requirements.

[S.2081](#) : Extended Unemployment Benefits Reform Act of 2012

Sponsor: [Sen Burr, Richard](#) [NC] (introduced 2/9/2012) [Cosponsors](#) (17)

Committees: Senate Finance

Latest Major Action: 2/9/2012 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To require participation in public service and engagement in an active job search as conditions for receipt of extended unemployment benefits.

[S.2095](#) : Expanding Training Opportunities Act of 2012

Sponsor: [Sen Franken, Al](#) [MN] (introduced 2/9/2012) **Cosponsors** (None)

Committees: Senate Finance

Latest Major Action: 2/9/2012 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

To ensure that individuals who are in an authorized job training program or completing work for a degree or certificate remain eligible for regular unemployment compensation.

[S.2142](#) : Working Families Flexibility Act

Sponsor: [Sen Casey, Robert P., Jr.](#) [PA] (introduced 2/29/2012) **Cosponsors** (1)

Committees: Senate Health, Education, Labor, and Pensions

Latest Major Action: 2/29/2012 Referred to Senate committee. Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

To permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes.

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