

Union Calendar No. 359

119TH CONGRESS
1ST SESSION

H. R. 2270

[Report No. 119–413]

To amend the Fair Labor Standards Act of 1938 to exclude child and dependent care services and payments from the rate used to compute overtime compensation.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2025

Mr. MESSMER (for himself, Mr. MOOLENAAR, Mrs. HINSON, and Mr. HARDER of California) introduced the following bill; which was referred to the Committee on Education and Workforce

DECEMBER 18, 2025

Additional sponsors: Mr. THOMPSON of Pennsylvania, Ms. STEFANIK, Mr. FINE, Mr. HARRIS of North Carolina, and Mr. ONDER

DECEMBER 18, 2025

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 21, 2025]

A BILL

To amend the Fair Labor Standards Act of 1938 to exclude child and dependent care services and payments from the rate used to compute overtime compensation.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Empowering Employer*
 3 *Child and Elder Care Solutions Act”.*

4 **SEC. 2. EXCLUSION OF CHILD AND DEPENDENT CARE IN**
 5 **COMPUTING OVERTIME COMPENSATION.**

6 (a) *IN GENERAL.*—Section 7(e) of the Fair Labor
 7 Standards Act of 1938 (29 U.S.C. 207(e)) is amended—

8 (1) *in paragraph (2), by inserting “payments or*
 9 *reimbursements for child or dependent care services;”*
 10 *after “by the employer;”;*

11 (2) *in paragraph (7), by striking “or” at the*
 12 *end;*

13 (3) *in paragraph (8)(D)(ii), by striking the pe-*
 14 *riod at the end and inserting “; or”; and*

15 (4) *by adding at the end the following:*

16 “(9) *the value of any child or dependent care*
 17 *services provided by an employer.”.*

18 (b) *EFFECTIVE DATE.*—The amendment made by sub-
 19 section (a) shall apply with respect to overtime compensa-
 20 tion required to be paid for workweeks beginning on or after
 21 the date of enactment of this Act.

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