

119TH CONGRESS
2^D SESSION

H. R. 8158

To allow Americans to receive paid leave time to address symptoms related to reproductive health conditions and reproductive health care procedures.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2026

Ms. ANSARI (for herself, Mrs. BEATTY, Mr. BELL, Ms. BROWNLEY, Mr. CARTER of Louisiana, Ms. CLARKE of New York, Mr. CONAWAY, Mr. GOLDMAN of New York, Mrs. GRIJALVA, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Mr. KENNEDY of New York, Mr. KRISHNAMOORTHY, Mr. MCGARVEY, Ms. NORTON, Ms. PRESSLEY, Ms. ROSS, Ms. SIMON, Mr. THANEDAR, Ms. TLAIB, Mr. TONKO, Mrs. TRAHAN, Ms. VELÁZQUEZ, Ms. WILLIAMS of Georgia, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committees on Oversight and Government Reform, House Administration, and the Judiciary, 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

A BILL

To allow Americans to receive paid leave time to address symptoms related to reproductive health conditions and reproductive health care procedures.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reproductive
5 Healthcare Leave Act”.

1 **SEC. 2. PURPOSES.**

2 The purpose of this Act is to allow individuals in the
3 United States to receive paid leave time for absences re-
4 sulting from a physical or mental conditions or from symp-
5 toms related to reproductive health or for absences related
6 to obtaining care related to reproductive health, and for
7 other purposes.

8 **SEC. 3. PAID LEAVE TIME.**

9 (a) GRANTING LEAVE TIME.—

10 (1) IN GENERAL.—An employer shall grant to
11 each employee employed by the employer 96 hours
12 of paid leave time on the employee’s first workday
13 of each calendar year. The employee may use the
14 paid leave time as needed during that calendar year
15 for reasons described in subsection (b).

16 (2) CARRYOVER.—Paid leave time granted
17 under this section shall not carry over from 1 cal-
18 endar year to the next.

19 (3) EMPLOYERS WITH EXISTING POLICIES.—
20 Any employer with a paid leave policy who makes
21 available an amount of paid leave that is sufficient
22 to meet the requirements of this section and that is
23 made available for all stated reasons and under all
24 stated conditions that are the same as the reasons
25 and conditions outlined in subsection (b) shall not be

1 required to grant an employee additional paid leave
2 time under this section.

3 (4) CONSTRUCTION.—Nothing in this section
4 shall be construed as requiring financial or other re-
5 imbursement to an employee from an employer upon
6 the employee’s termination, resignation, retirement,
7 or other separation from employment for paid leave
8 time granted under paragraph (1) that has not been
9 used.

10 (5) PROHIBITION.—An employer may not re-
11 quire, as a condition of providing paid leave time
12 under this section, that the employee involved search
13 for or find a replacement employee to cover the
14 hours during which the employee is using paid leave
15 time.

16 (b) USES.—Paid leave time granted under this sec-
17 tion may be used by an employee for any of the following
18 reasons:

19 (1) A medical or surgical procedure related to
20 human reproductive health, including any physical or
21 mental symptom related to such a procedure or any
22 reproductive health condition, including—

23 (A) Menstruation.

24 (B) Endometriosis.

25 (C) Dysmenorrhea.

1 (D) Adenomyosis.

2 (E) Polycystic ovary syndrome.

3 (F) Menopause.

4 (G) Perimenopause.

5 (2) Obtaining medical care, have a medical pro-
6 cedure, or a preventative screening related to repro-
7 ductive health, including fertility treatments, termi-
8 nation of pregnancies, hysterectomies, and
9 vasectomies.

10 (c) PROCEDURES.—An employer shall allow paid
11 leave time to be used upon the oral or written request of
12 an employee. Such a request shall—

13 (1) include the expected duration of the period
14 of such time; and

15 (2) be provided as soon as practicable after the
16 employee is aware of the need for such period.

17 **SEC. 4. NOTICE REQUIREMENT.**

18 (a) IN GENERAL.—Each employer shall notify each
19 employee and include in any employee handbook the infor-
20 mation described in paragraphs (1) through (3). Each em-
21 ployer shall post and keep posted a notice, to be prepared
22 or approved in accordance with procedures specified in
23 regulations prescribed under section 11, setting forth ex-
24 cerpts from, or summaries of, the pertinent provisions of
25 this Act, including—

1 (1) information describing paid leave time avail-
2 able to employees under this Act;

3 (2) information pertaining to the filing of an
4 action under this Act; and

5 (3) information that describes—

6 (A) the protections that an employee has
7 in exercising rights under this Act; and

8 (B) how the employee can contact the Sec-
9 retary (or other appropriate authority as de-
10 scribed in section 6) if any of the rights are vio-
11 lated.

12 (b) LOCATION.—The notice described under sub-
13 section (a) shall be posted—

14 (1) in a conspicuous place on the premises of
15 the employer, where notices to employees (including
16 applicants) are customarily posted; and

17 (2) in employee handbooks.

18 (c) VIOLATION; PENALTY.—Any employer who will-
19 fully violates the notice requirements of this section shall
20 be subject to a civil fine in an amount not to exceed \$100
21 for each day in which the employer is in violation of such
22 requirements.

23 **SEC. 5. PROHIBITED ACTS.**

24 (a) INTERFERENCE WITH RIGHTS.—

1 (1) EXERCISE OF RIGHTS.—It shall be unlawful
2 for any employer to interfere with, restrain, or deny
3 the exercise of, or the attempt to exercise, any right
4 provided under this Act, including—

5 (A) discharging or discriminating against
6 (including retaliating against) any individual,
7 including a job applicant, for exercising, or at-
8 tempting to exercise, any right provided under
9 this Act;

10 (B) using the taking of paid leave time
11 under this Act as a negative factor in an em-
12 ployment action, such as hiring, promotion, re-
13 ducing hours or number of shifts, or a discipli-
14 nary action; or

15 (C) counting the use of paid leave time
16 under a no-fault attendance policy or any other
17 absence control policy.

18 (2) DISCRIMINATION.—It shall be unlawful for
19 any employer to discharge or in any other manner
20 discriminate against (including retaliating against)
21 any individual, including a job applicant, for oppos-
22 ing any practice made unlawful by this Act.

23 (b) INTERFERENCE WITH PROCEEDINGS OR INQUIR-
24 IES.—It shall be unlawful for any person to discharge or
25 in any other manner discriminate against (including retali-

1 ating against) any individual, including a job applicant,
2 because such individual—

3 (1) has filed an action, or has instituted or
4 caused to be instituted any proceeding, under or re-
5 lated to this Act;

6 (2) has given, or is about to give, any informa-
7 tion in connection with any inquiry or proceeding re-
8 lating to any right provided under this Act; or

9 (3) has testified, or is about to testify, in any
10 inquiry or proceeding relating to any right provided
11 under this Act.

12 (c) CONSTRUCTION.—Nothing in this section shall be
13 construed to alter or limit the scope of the activities pro-
14 hibited by section 105 of the Family and Medical Leave
15 Act of 1993 (29 U.S.C. 2615) or the Civil Rights Act of
16 1964 (42 U.S.C. 2000a et seq.).

17 **SEC. 6. ENFORCEMENT AUTHORITY.**

18 (a) IN GENERAL.—

19 (1) INVESTIGATIVE AUTHORITY.—

20 (A) IN GENERAL.—To ensure compliance
21 with the provisions of this Act, or any regula-
22 tion or order issued under this Act, the Sec-
23 retary shall have, subject to subparagraph (C),
24 the investigative authority provided under sec-
25 tion 11(a) of the Fair Labor Standards Act of

1 1938 (29 U.S.C. 211(a)), with respect to em-
2 ployers, employees, and other individuals af-
3 fected.

4 (B) OBLIGATION TO KEEP AND PRESERVE
5 RECORDS.—An employer shall make, keep, and
6 preserve records pertaining to compliance with
7 this Act in accordance with section 11(c) of the
8 Fair Labor Standards Act of 1938 (29 U.S.C.
9 211(c)) and in accordance with regulations pre-
10 scribed by the Secretary.

11 (C) REQUIRED SUBMISSIONS GENERALLY
12 LIMITED TO AN ANNUAL BASIS.—The Secretary
13 shall not require, under the authority of this
14 paragraph, an employer to submit to the Sec-
15 retary any books or records more than once
16 during any 12-month period, unless the Sec-
17 retary has reasonable cause to believe there
18 may exist a violation of this Act or any regula-
19 tion or order issued pursuant to this Act, or is
20 investigating a charge pursuant to paragraph
21 (3).

22 (D) SUBPOENA AUTHORITY.—For the pur-
23 poses of any investigation provided for in this
24 paragraph, the Secretary shall have the sub-
25 poena authority provided for under section 9 of

1 the Fair Labor Standards Act of 1938 (29
2 U.S.C. 209).

3 (2) CIVIL ACTION BY EMPLOYEES OR INDIVID-
4 UALS.—

5 (A) RIGHT OF ACTION.—An action to re-
6 cover the damages or equitable relief prescribed
7 in subparagraph (B) may be maintained
8 against any employer in any Federal or State
9 court of competent jurisdiction by one or more
10 employees or individuals or their representative
11 for and on behalf of—

12 (i) the employees or individuals; or
13 (ii) the employees or individuals and
14 others similarly situated.

15 (B) LIABILITY.—Any employer who vio-
16 lates section 5 (including a violation relating to
17 rights provided under section 3) shall be liable
18 to any employee or individual affected—

19 (i) for damages equal to—
20 (I) the amount of—
21 (aa) any wages, salary, em-
22 ployment benefits, or other com-
23 pensation denied or lost by rea-
24 son of the violation; or

1 (bb) in a case in which
2 wages, salary, employment bene-
3 fits, or other compensation have
4 not been denied or lost, any ac-
5 tual monetary losses sustained as
6 a direct result of the violation up
7 to a sum equal to 24 hours of
8 wages or salary for the employee
9 or individual;

10 (II) the interest on the amount
11 described in subclause (I) calculated
12 at the prevailing rate; and

13 (III) an additional amount as liq-
14 uidated damages; and

15 (ii) for such equitable relief as may be
16 appropriate, including employment, rein-
17 statement, and promotion.

18 (C) FEES AND COSTS.—The court in an
19 action under this paragraph shall, in addition to
20 any judgment awarded to the plaintiff, allow a
21 reasonable attorney's fee, reasonable expert wit-
22 ness fees, and other costs of the action to be
23 paid by the defendant.

24 (3) ACTION BY THE SECRETARY.—

1 (A) ADMINISTRATIVE ACTION.—The Sec-
2 retary shall receive, investigate, and attempt to
3 resolve complaints of violations of section 5 (in-
4 cluding a violation relating to rights provided
5 under section 3) in the same manner that the
6 Secretary receives, investigates, and attempts to
7 resolve complaints of violations of sections 6
8 and 7 of the Fair Labor Standards Act of 1938
9 (29 U.S.C. 206 and 207).

10 (B) CIVIL ACTION.—The Secretary may
11 bring an action in any court of competent juris-
12 diction to recover the damages described in
13 paragraph (2)(B)(i).

14 (C) SUMS RECOVERED.—Any sums recov-
15 ered by the Secretary pursuant to subparagraph
16 (B) shall be held in a special deposit account
17 and shall be paid, on order of the Secretary, di-
18 rectly to each employee or individual affected.
19 Any such sums not paid to an employee or indi-
20 vidual affected because of inability to do so
21 within a period of 3 years shall be deposited
22 into the Treasury of the United States as mis-
23 cellaneous receipts.

24 (4) LIMITATION.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), an action may be brought
3 under paragraph (2), (3), or (5) not later than
4 2 years after the date of the last event consti-
5 tuting the alleged violation for which the action
6 is brought.

7 (B) WILLFUL VIOLATION.—In the case of
8 an action brought for a willful violation of sec-
9 tion 5 (including a willful violation relating to
10 rights provided under section 3), such action
11 may be brought within 3 years of the date of
12 the last event constituting the alleged violation
13 for which such action is brought.

14 (C) COMMENCEMENT.—In determining
15 when an action is commenced under paragraph
16 (2), (3), or (5) for the purposes of this para-
17 graph, it shall be considered to be commenced
18 on the date when the complaint is filed.

19 (5) ACTION FOR INJUNCTION BY SECRETARY.—
20 The district courts of the United States shall have
21 jurisdiction, for cause shown, in an action brought
22 by the Secretary—

23 (A) to restrain violations of section 5 (in-
24 cluding a violation relating to rights provided
25 under section 3), including the restraint of any

1 withholding of payment of wages, salary, em-
2 ployment benefits, or other compensation, plus
3 interest, found by the court to be due to em-
4 ployees or individuals eligible under this Act; or

5 (B) to award such other equitable relief as
6 may be appropriate, including employment, re-
7 instatement, and promotion.

8 (6) SOLICITOR OF LABOR.—The Solicitor of
9 Labor may appear for and represent the Secretary
10 on any litigation brought under paragraph (3) or
11 (5).

12 (7) GOVERNMENT ACCOUNTABILITY OFFICE.—
13 Notwithstanding any other provision of this sub-
14 section, in the case of the Government Account-
15 ability Office, the authority of the Secretary of
16 Labor under this subsection shall be exercised by the
17 Comptroller General of the United States.

18 (8) DEFINITION.—In this subsection—

19 (A) the term “employee” means an em-
20 ployee described in subparagraph (A) or (B) of
21 section 12(3); and

22 (B) the term “employer” means an em-
23 ployer described in subclause (I) or (II) of sec-
24 tion 12(4)(A)(i).

1 (b) EMPLOYEES COVERED BY CONGRESSIONAL AC-
2 COUNTABILITY ACT OF 1995.—The powers, remedies, and
3 procedures provided in the Congressional Accountability
4 Act of 1995 (2 U.S.C. 1301 et seq.) to the Board (as de-
5 fined in section 101 of that Act (2 U.S.C. 1301)), or any
6 person, alleging a violation of section 202(a)(1) of that
7 Act (2 U.S.C. 1312(a)(1)) shall be the powers, remedies,
8 and procedures this Act provides to that Board, or any
9 person, alleging an unlawful employment practice in viola-
10 tion of this Act against an employee described in section
11 12(3)(C).

12 (c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE
13 3, UNITED STATES CODE.—The powers, remedies, and
14 procedures provided in chapter 5 of title 3, United States
15 Code, to the President, the Merit Systems Protection
16 Board, or any person, alleging a violation of section
17 412(a)(1) of that title, shall be the powers, remedies, and
18 procedures this Act provides to the President, that Board,
19 or any person, respectively, alleging an unlawful employ-
20 ment practice in violation of this Act against an employee
21 described in section 12(3)(D).

22 (d) EMPLOYEES COVERED BY CHAPTER 63 OF TITLE
23 5, UNITED STATES CODE.—The powers, remedies, and
24 procedures provided in title 5, United States Code, to an
25 employing agency, provided in chapter 12 of that title to

1 the Merit Systems Protection Board, or provided in that
2 title to any person, alleging a violation of chapter 63 of
3 that title, shall be the powers, remedies, and procedures
4 this Act provides to that agency, that Board, or any per-
5 son, respectively, alleging an unlawful employment prac-
6 tice in violation of this Act against an employee described
7 in section 12(3)(E).

8 (e) REMEDIES FOR STATE EMPLOYEES.—

9 (1) WAIVER OF SOVEREIGN IMMUNITY.—A
10 State's receipt or use of Federal financial assistance
11 for any program or activity of a State shall con-
12 stitute a waiver of sovereign immunity, under the
13 11th Amendment to the Constitution or otherwise,
14 to a suit brought by an employee of that program
15 or activity under this Act for equitable, legal, or
16 other relief authorized under this Act.

17 (2) OFFICIAL CAPACITY.—An official of a State
18 may be sued in the official capacity of the official by
19 any employee who has complied with the procedures
20 under subsection (a)(2) for injunctive relief that is
21 authorized under this Act. In such a suit the court
22 may award to the prevailing party those costs au-
23 thorized by section 722 of the Revised Statutes (42
24 U.S.C. 1988).

1 (3) APPLICABILITY.—With respect to a par-
2 ticular program or activity, paragraph (1) applies to
3 conduct occurring on or after the day, after the date
4 of enactment of this Act, on which a State first re-
5 ceives or uses Federal financial assistance for that
6 program or activity.

7 (4) DEFINITION OF PROGRAM OR ACTIVITY.—In
8 this subsection, the term “program or activity” has
9 the meaning given the term in section 606 of the
10 Civil Rights Act of 1964 (42 U.S.C. 2000d–4a).

11 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS FOR EDU-**
12 **CATION AND OUTREACH.**

13 There is authorized to be appropriated to the Sec-
14 retary of Labor such sums as may be necessary in order
15 that the Secretary may conduct a public awareness cam-
16 paign to educate and inform the public of the require-
17 ments for paid leave time required by this Act.

18 **SEC. 8. EFFECT ON OTHER LAWS.**

19 (a) FEDERAL AND STATE ANTIDISCRIMINATION
20 LAWS.—Nothing in this Act shall be construed to modify
21 or affect any Federal or State law prohibiting discrimina-
22 tion on the basis of race, religion, color, national origin,
23 sex, age, or disability.

24 (b) FEDERAL, STATE, AND LOCAL LAWS.—Nothing
25 in this Act shall be construed to supersede (including pre-

1 emptying) any provision of any Federal, State, or local law
2 that provides greater paid or unpaid family or medical
3 leave rights than the rights established under this Act.

4 **SEC. 9. EFFECT ON EXISTING EMPLOYMENT BENEFITS.**

5 (a) MORE PROTECTIVE.—Nothing in this Act shall
6 be construed to diminish the obligation of an employer to
7 comply with any contract, collective bargaining agreement,
8 or any employment benefit program or plan that provides
9 greater paid leave or other leave rights to employees or
10 individuals than the rights established under this Act.

11 (b) LESS PROTECTIVE.—The rights established for
12 employees under this Act shall not be diminished by any
13 contract, collective bargaining agreement, or any employ-
14 ment benefit program or plan.

15 **SEC. 10. ENCOURAGEMENT OF MORE GENEROUS LEAVE**
16 **POLICIES.**

17 Nothing in this Act shall be construed to discourage
18 employers from adopting or retaining leave policies more
19 generous than policies that comply with the requirements
20 of this Act.

21 **SEC. 11. REGULATIONS.**

22 (a) IN GENERAL.—

23 (1) AUTHORITY.—Except as provided in para-
24 graph (2), not later than 180 days after the date of
25 enactment of this Act, the Secretary shall prescribe

1 such regulations as are necessary to carry out this
2 Act with respect to employees described in subpara-
3 graph (A) or (B) of section 12(3) and other individ-
4 uals affected by employers described in subclause (I)
5 or (II) of section 12(4)(A)(i).

6 (2) GOVERNMENT ACCOUNTABILITY OFFICE.—
7 The Comptroller General of the United States shall
8 prescribe the regulations with respect to employees
9 of the Government Accountability Office and the Li-
10 brary of Congress, respectively, and other individuals
11 affected by the Comptroller General of the United
12 States.

13 (b) EMPLOYEES COVERED BY CONGRESSIONAL AC-
14 COUNTABILITY ACT OF 1995.—

15 (1) AUTHORITY.—Not later than 90 days after
16 the Secretary prescribes regulations under sub-
17 section (a), the Board of Directors of the Office of
18 Compliance shall prescribe (in accordance with sec-
19 tion 304 of the Congressional Accountability Act of
20 1995 (2 U.S.C. 1384)) such regulations as are nec-
21 essary to carry out this Act with respect to employ-
22 ees described in section 12(3)(C) and other individ-
23 uals affected by employers described in section
24 12(4)(A)(i)(III).

1 (2) AGENCY REGULATIONS.—The regulations
2 prescribed under paragraph (1) shall be the same as
3 substantive regulations promulgated by the Sec-
4 retary to carry out this Act except insofar as the
5 Board may determine, for good cause shown and
6 stated together with the regulations prescribed
7 under paragraph (1), that a modification of such
8 regulations would be more effective for the imple-
9 mentation of the rights and protections involved
10 under this section.

11 (c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE
12 3, UNITED STATES CODE.—

13 (1) AUTHORITY.—Not later than 90 days after
14 the Secretary prescribes regulations under sub-
15 section (a), the President (or the designee of the
16 President) shall prescribe such regulations as are
17 necessary to carry out this Act with respect to em-
18 ployees described in section 12(3)(D) and other indi-
19 viduals affected by employers described in section
20 12(4)(A)(i)(IV).

21 (2) AGENCY REGULATIONS.—The regulations
22 prescribed under paragraph (1) shall be the same as
23 substantive regulations promulgated by the Sec-
24 retary to carry out this Act except insofar as the
25 President (or designee) may determine, for good

1 cause shown and stated together with the regula-
2 tions prescribed under paragraph (1), that a modi-
3 fication of such regulations would be more effective
4 for the implementation of the rights and protections
5 involved under this section.

6 (d) EMPLOYEES COVERED BY CHAPTER 63 OF TITLE
7 5, UNITED STATES CODE.—

8 (1) AUTHORITY.—Not later than 90 days after
9 the Secretary prescribes regulations under sub-
10 section (a), the Director of the Office of Personnel
11 Management shall prescribe such regulations as are
12 necessary to carry out this Act with respect to em-
13 ployees described in section 12(3)(E) and other indi-
14 viduals affected by employers described in section
15 12(4)(A)(i)(V).

16 (2) AGENCY REGULATIONS.—The regulations
17 prescribed under paragraph (1) shall be the same as
18 substantive regulations promulgated by the Sec-
19 retary to carry out this Act except insofar as the Di-
20 rector may determine, for good cause shown and
21 stated together with the regulations prescribed
22 under paragraph (1), that a modification of such
23 regulations would be more effective for the imple-
24 mentation of the rights and protections involved
25 under this section.

1 **SEC. 12. DEFINITIONS.**

2 In this Act:

3 (1) EMPLOYEE.—The term “employee” means
4 an individual who is—

5 (A)(i) an employee, as defined in section
6 3(e) of the Fair Labor Standards Act of 1938
7 (29 U.S.C. 203(e)), who is not covered under
8 subparagraph (E), except that a reference in
9 such section to an employer shall be considered
10 to be a reference to an employer described in
11 clauses (i)(I) and (ii) of paragraph (4)(A); or

12 (ii) an employee of the Government Ac-
13 countability Office;

14 (B) a State employee described in section
15 304(a) of the Government Employee Rights Act
16 of 1991 (42 U.S.C. 2000e–16c(a));

17 (C) a covered employee, as defined in sec-
18 tion 101 of the Congressional Accountability
19 Act of 1995 (2 U.S.C. 1301), other than an ap-
20 plicant for employment;

21 (D) a covered employee, as defined in sec-
22 tion 411(e) of title 3, United States Code, other
23 than an applicant for employment; or

24 (E) a Federal officer or employee covered
25 under subchapter V of chapter 63 of title 5,
26 United States Code.

1 (2) EMPLOYER.—

2 (A) IN GENERAL.—The term “employer”
3 means a person who is—

4 (i)(I) a covered employer, as defined
5 in subparagraph (B), who is not covered
6 under subclause (V);

7 (II) an entity employing a State em-
8 ployee described in section 304(a) of the
9 Government Employee Rights Act of 1991;

10 (III) an employing office, as defined
11 in section 101 of the Congressional Ac-
12 countability Act of 1995;

13 (IV) an employing office, as defined in
14 section 411(c) of title 3, United States
15 Code; or

16 (V) an employing agency covered
17 under subchapter V of chapter 63 of title
18 5, United States Code; and

19 (ii) engaged in commerce (including
20 government), or an industry or activity af-
21 fecting commerce (including government),
22 as defined in subparagraph (B)(iii).

23 (B) COVERED EMPLOYER.—

24 (i) IN GENERAL.—In subparagraph
25 (A)(i)(I), the term “covered employer”—

1 (I) means any person engaged in
2 commerce or in any industry or activ-
3 ity affecting commerce who employs 5
4 or more employees for each working
5 day during each of 20 or more cal-
6 endar workweeks in the current or
7 preceding year;

8 (II) includes—

9 (aa) any person who acts,
10 directly or indirectly, in the inter-
11 est of an employer to any of the
12 employees of such employer; and

13 (bb) any successor in inter-
14 est of an employer;

15 (III) includes any “public agen-
16 cy”, as defined in section 3(x) of the
17 Fair Labor Standards Act of 1938
18 (29 U.S.C. 203(x)); and

19 (IV) includes the Government
20 Accountability Office.

21 (ii) PUBLIC AGENCY.—For purposes
22 of clause (i)(III), a public agency shall be
23 considered to be a person engaged in com-
24 merce or in an industry or activity affect-
25 ing commerce.

1 (iii) DEFINITIONS.—For purposes of
2 this subparagraph:

3 (I) COMMERCE.—The terms
4 “commerce” and “industry or activity
5 affecting commerce” mean any activ-
6 ity, business, or industry in commerce
7 or in which a labor dispute would
8 hinder or obstruct commerce or the
9 free flow of commerce, and include
10 “commerce” and any “industry affect-
11 ing commerce”, as defined in para-
12 graphs (1) and (3) of section 501 of
13 the Labor Management Relations Act,
14 1947 (29 U.S.C. 142 (1) and (3)).

15 (II) EMPLOYEE.—The term “em-
16 ployee” has the same meaning given
17 such term in section 3(e) of the Fair
18 Labor Standards Act of 1938 (29
19 U.S.C. 203(e)).

20 (III) PERSON.—The term “per-
21 son” has the same meaning given
22 such term in section 3(a) of the Fair
23 Labor Standards Act of 1938 (29
24 U.S.C. 203(a)).

1 (C) PREDECESSORS.—Any reference in
2 this paragraph to an employer shall include a
3 reference to any predecessor of such employer.

4 (3) EMPLOYMENT BENEFITS.—The term “em-
5 ployment benefits” means all benefits provided or
6 made available to employees by an employer, includ-
7 ing group life insurance, health insurance, disability
8 insurance, sick leave, annual leave, educational bene-
9 fits, and pensions, regardless of whether such bene-
10 fits are provided by a practice or written policy of
11 an employer or through an “employee benefit plan”,
12 as defined in section 3(3) of the Employee Retirement
13 Income Security Act of 1974 (29 U.S.C.
14 1002(3)).

15 (4) PAID LEAVE TIME.—The term “paid leave
16 time” means an increment of compensated leave that
17 can be granted to an employee for use during an ab-
18 sence from employment for any reason described in
19 section 3(b).

20 (5) SECRETARY.—The term “Secretary” means
21 the Secretary of Labor.

22 (6) SPOUSE.—The term “spouse”, with respect
23 to an employee, has the meaning given such term by
24 the marriage laws of the State in which the mar-
25 riage was celebrated.

1 (7) STATE.—The term “State” has the mean-
2 ing given the term in section 3 of the Fair Labor
3 Standards Act of 1938 (29 U.S.C. 203).

4 **SEC. 13. EFFECTIVE DATES.**

5 (a) EFFECTIVE DATE.—This Act, other than section
6 11, shall take effect 6 months after the date of issuance
7 of regulations under section 11(a)(1).

8 (b) COLLECTIVE BARGAINING AGREEMENTS.—With
9 respect to a collective bargaining agreement in effect on
10 the effective date prescribed by subsection (a), this Act
11 shall take effect on the earlier of—

12 (1) the date of the termination of such agree-
13 ment; or

14 (2) the date that is 18 months after the date
15 of issuance of regulations under section 11(a)(1).

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