

106TH CONGRESS
2D SESSION

H. R. 4305

To amend the Fair Labor Standards Act of 1938 to require an employer to notify the parent or guardian of an employee who is under the age of 18 or handicapped and who works at the same facility as an individual who has a criminal record that includes a conviction for a crime of violence.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2000

Mr. FROST introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to require an employer to notify the parent or guardian of an employee who is under the age of 18 or handicapped and who works at the same facility as an individual who has a criminal record that includes a conviction for a crime of violence.

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 “Amy Robinson Memo-
5 rial Act”.

1 **SEC. 2. NOTICE TO PARENT OR GUARDIAN THAT MINOR OR**
2 **HANDICAPPED EMPLOYEE WORKS WITH IN-**
3 **DIVIDUAL WITH A RECORD OF A CRIME OF**
4 **VIOLENCE.**

5 Section 14 of the Fair Labor Standards Act of 1938
6 (29 U.S.C. 214) is amended by adding at the end the fol-
7 lowing:

8 “(e)(1) The Secretary shall by regulation require that
9 an employer provide prompt written notice to the parent
10 or guardian of an employee if—

11 “(A)(i) the employee has not attained eighteen
12 years of age or is employed under a special certifi-
13 cate issued under subsection (c) for earning or pro-
14 ductive capacity impaired by physical or mental defi-
15 ciency, or injury; or

16 “(ii) the employer knows or reasonably should
17 know that the earning or productive capacity of the
18 employee is impaired by physical or mental defi-
19 ciency, or injury;

20 “(B) another individual who has a criminal
21 record that includes a conviction for a crime of vio-
22 lence (as defined in section 16 of title 18, United
23 States Code) performs work at the same facility as
24 the employee; and

25 “(C) the employer—

26 “(i) employs the other individual; or

1 “(ii) knows or reasonably should know of
2 the conviction.

3 “(2) The notice under paragraph (1) shall contain an
4 identification of the facility, a statement that an individual
5 who has been convicted of a crime of violence performs
6 work at the facility, and an identification of each such
7 crime of violence.”.

○