

111TH CONGRESS
2D SESSION

H. R. 5176

To amend the National Labor Relations Act to prohibit States and Territories from classifying self-employed individuals as employees under State collective bargaining laws.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2010

Mr. HOEKSTRA introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the National Labor Relations Act to prohibit States and Territories from classifying self-employed individuals as employees under State collective bargaining laws.

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 “Family and Inde-
5 pendent Business Protection Act of 2010”.

1 **SEC. 2. PROHIBITION ON CLASSIFICATION OF SELF-EM-**
2 **PLOYED INDIVIDUALS AS EMPLOYEES.**

3 Section 14 of the National Labor Relations Act (29
4 U.S.C. 164) is amended by adding at the end the fol-
5 lowing:

6 “(d) Notwithstanding any other provision of this Act,
7 no State or territory may define or classify any person
8 as an employee of the State or Territory for purposes of
9 the employment, labor relations, or collective bargaining
10 laws or regulations of that State or territory, by reason
11 of such person’s receipt of or eligibility for any payment
12 or subsidy funded in whole or in part by the United
13 States.”.

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