

111TH CONGRESS
1ST SESSION

S. 2790

To allow Americans to receive paid sick time so that they can address their own health needs, and the health needs of their families, related to a contagious illness.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2009

Mr. DODD (for himself, Mr. HARKIN, Mr. FRANKEN, Mr. BROWN, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To allow Americans to receive paid sick time so that they can address their own health needs, and the health needs of their families, related to a contagious illness.

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 “Pandemic Protection
5 for Workers, Families, and Businesses Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) According to the Bureau of Labor Statis-
9 tics, between 50,000,000 and 60,000,000 United

1 States workers have no paid sick leave to use when
2 they or their family members are sick. Only 1 in 4
3 low-wage workers has paid sick days and often low-
4 wage workers are the workers most likely to have
5 jobs that require frequent contact with the public.

6 (2) The lack of paid sick days presents a threat
7 to the United States economy and to public health,
8 particularly in the face of a pandemic illness such as
9 the 2009 H1N1 influenza. The Centers for Disease
10 Control and Prevention reports that an individual
11 who comes to work with the 2009 H1N1 influenza
12 will transmit the illness to approximately 8 to 12
13 percent of the individual's coworkers. This workplace
14 transmission presents a serious threat to business
15 operations, as many businesses do not have contin-
16 gency plans in place to address the possibility of
17 mass absences due to the spread of a pandemic ill-
18 ness or other contagious illness.

19 (3) Hundreds of schools have already been
20 closed this year because of the spread of influenza,
21 and according to the Centers for Disease Control
22 and Prevention, early childhood settings like child
23 care facilities are at high risk for transmission of ill-
24 ness due to their highly vulnerable populations.
25 These schools and settings are also workplaces for

1 many professionals who are at risk of infecting each
2 other as well as children.

3 (4) The Centers for Disease Control and Pre-
4 vention strongly recommends that people with the
5 2009 H1N1 influenza or influenza-like symptoms
6 stay home for at least 24 hours after their fevers
7 end. Experts estimate that if workers followed the
8 recommendation of the Centers for Disease Control
9 and Prevention, the workers could reduce the num-
10 ber of people infected by a pandemic of influenza by
11 15 to 34 percent.

12 (5) Providing a minimum standard for paid
13 sick days will enable United States workers to follow
14 this important recommendation without putting
15 their jobs or their paychecks at risk.

16 **SEC. 3. PURPOSES.**

17 The purposes of this Act are—

18 (1) to minimize the spread of contagious ill-
19 nesses in the workplace and prevent disruptions to
20 interstate commerce;

21 (2) to ensure that all working Americans can
22 address their own health needs and the health needs
23 of their children, related to a contagious illness, by
24 requiring employers to provide up to 7 days of paid
25 sick time to their employees;

1 (3) to diminish public and private health care
2 costs by enabling employees to seek early and rou-
3 tine medical care for themselves and their children,
4 related to a contagious illness;

5 (4) to provide paid sick time to employees due
6 to closure of a place of business due to a contagious
7 illness or a need to care for a child whose school or
8 child care or early childhood program has been
9 closed due to a contagious illness; and

10 (5) to accomplish the purposes described in
11 paragraphs (1) through (4) in a manner that is fea-
12 sible for employers.

13 **SEC. 4. DEFINITIONS.**

14 In this Act:

15 (1) CHILD.—The term “child” means a child,
16 as defined by the Secretary in consultation with the
17 Secretary of Health and Human Services.

18 (2) CONTAGIOUS ILLNESS.—The term “con-
19 tagious illness”, as defined by the Secretary of
20 Labor in consultation with the Secretary of Health
21 and Human Services, includes influenza-like illnesses
22 such as an illness from the 2009 H1N1 virus.

23 (3) COVERED EMPLOYEE.—The term “covered
24 employee” means an individual who—

1 (A) has been employed for not less than 30
2 days by the covered employer from whom paid
3 sick time is requested; and

4 (B) is—

5 (i) an employee, as defined in section
6 701(f) of the Civil Rights Act of 1964 (42
7 U.S.C. 2000e(f)), but including an indi-
8 vidual employed by an Indian tribe;

9 (ii) a State employee described in sec-
10 tion 304(a) of the Government Employee
11 Rights Act of 1991 (42 U.S.C. 2000e-
12 16c(a));

13 (iii) a covered employee, as defined in
14 section 101 of the Congressional Account-
15 ability Act of 1995 (2 U.S.C. 1301), other
16 than an applicant for employment;

17 (iv) a covered employee, as defined in
18 section 411(c) of title 3, United States
19 Code; or

20 (v) an employee or applicant to which
21 section 717(a) of the Civil Rights Act of
22 1964 (42 U.S.C. 2000e-16(a)) applies.

23 (4) COVERED EMPLOYER.—

24 (A) IN GENERAL.—The term “covered em-
25 ployer” means a person who—

1 (i) is—

2 (I) an employer (as defined in
3 section 701(b) of the Civil Rights Act
4 of 1964 (42 U.S.C. 2000e(b))), but
5 including an Indian tribe;

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

10 (III) an employing office, as de-
11 fined in section 101 of the Congres-
12 sional Accountability Act of 1995;

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

16 (V) an entity to which section
17 717(a) of the Civil Rights Act of 1964
18 applies;

19 (ii) who employs 15 or more employ-
20 ees for each working day during each of 20
21 or more calendar workweeks in the current
22 or preceding calendar year; and

23 (iii) is engaged in commerce (includ-
24 ing government) or in any industry or ac-

1 tivity affecting commerce (including gov-
2 ernment).

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

14 (6) PAID SICK TIME.—The term “paid sick
15 time” means an increment of compensated leave that
16 can be received by a covered employee for use during
17 an absence from employment for any of the reasons
18 described in paragraphs (1) through (3) of section
19 5(b).

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

22 (8) SYMPTOMS OF A CONTAGIOUS ILLNESS.—
23 The term “symptoms of a contagious illness” means
24 1 or more symptoms, as determined to be appro-
25 priate by the Secretary in consultation with the Sec-

1 retary of Health and Human Services, of a con-
2 tagious illness, including influenza-like illnesses such
3 as an illness from the 2009 H1N1 virus.

4 **SEC. 5. PROVISION OF PAID SICK TIME.**

5 (a) PAID SICK TIME.—

6 (1) IN GENERAL.—

7 (A) FULL-TIME EMPLOYEES.—A covered
8 employer shall annually provide, to each covered
9 employee employed by the employer on a full-
10 time basis (as defined by the Secretary), not
11 less than 7 days of paid sick time, with employ-
12 ment benefits.

13 (B) PART-TIME EMPLOYEES.—The em-
14 ployer shall annually provide, to each covered
15 employee employed by the employer on less
16 than a full-time basis (as defined by the Sec-
17 retary), a number of days or hours of paid sick
18 time, with employment benefits. The number of
19 days or hours shall be determined under a for-
20 mula specified by the Secretary and designed to
21 provide an approximate pro rata share of the 7-
22 day period described in subparagraph (A),
23 based on the hours worked by the employee.

1 (C) USES.—The paid sick time provided
2 under this section shall be used as described in
3 subsection (b).

4 (2) COVERED EMPLOYERS WITH EXISTING
5 POLICIES.—Any covered employer with a paid leave
6 policy who annually provides, to each covered em-
7 ployee, 7 days of paid leave that may be used for the
8 same purposes and under the same conditions as the
9 purposes and conditions outlined in subsection (b),
10 shall not be required to provide additional paid sick
11 time to the employee under this section.

12 (3) CONSTRUCTION.—Nothing in this section
13 shall be construed as requiring financial or other re-
14 imbursement to a covered employee from a covered
15 employer upon the employee’s termination, resigna-
16 tion, retirement, or other separation from employ-
17 ment for paid sick time that has not been used.

18 (4) PROHIBITION.—A covered employer may
19 not require, as a condition of providing paid sick
20 time under this Act, that the covered employee in-
21 volved search for or find a replacement worker to
22 cover the hours during which the employee is using
23 paid sick time.

1 (b) USES.—Paid sick time provided under this sec-
2 tion may be used by a covered employee for any of the
3 following:

4 (1)(A) An absence resulting from the medical
5 condition of a covered employee experiencing the
6 symptoms of a contagious illness, including the need
7 to obtain medical diagnosis or care, or an absence to
8 obtain preventive care for the employee for a con-
9 tagious illness.

10 (B) An absence due to a determination by a
11 health authority having jurisdiction or by a health
12 care provider that the covered employee’s presence
13 on the job would jeopardize the health of others be-
14 cause of the employee’s exposure to a contagious ill-
15 ness.

16 (2)(A) An absence for the purpose of caring for
17 a child of the covered employee who is experiencing
18 symptoms of a contagious illness, including the need
19 to obtain medical diagnosis or care, or an absence to
20 obtain preventive care for the child for a contagious
21 illness.

22 (B) An absence for the purpose of caring for a
23 child of the covered employee due to a determination
24 by a health authority having jurisdiction or by a
25 health care provider that the child’s presence in the

1 community would jeopardize the health of others be-
2 cause of the child's exposure to a contagious illness.

3 (3) Closure of the covered employee's place of
4 business due to a contagious illness or a covered em-
5 ployee's need to care for a child whose school or
6 child care or early childhood program has been
7 closed due to a contagious illness.

8 (c) MEDICAL CERTIFICATION REQUIREMENTS.—

9 (1) REQUEST.—Paid sick time shall be provided
10 upon the oral or written request of a covered em-
11 ployee.

12 (2) CERTIFICATION.—The Secretary, and other
13 authorities who may issue regulations under section
14 12, may issue regulations under that section regard-
15 ing medical certification requirements for a period of
16 paid sick time under this Act. The Secretary shall
17 issue any such regulations after consultation with
18 the Secretary of Health and Human Services. A cov-
19 ered employer may not require a covered employee
20 to provide medical certification inconsistent with the
21 regulations, to receive paid sick time under this sec-
22 tion.

23 **SEC. 6. POSTING REQUIREMENT.**

24 (a) IN GENERAL.—Each covered employer—

1 (1) shall post and keep posted a notice, to be
2 prepared or approved in accordance with procedures
3 specified in regulations prescribed under section 12,
4 setting forth excerpts from, or summaries of, the
5 pertinent provisions of this Act; and

6 (2) shall take other reasonable measures speci-
7 fied in the regulations to inform covered employees
8 of their rights under those provisions.

9 (b) VIOLATION; PENALTY.—Any covered employer
10 who willfully violates the requirements of this section shall
11 be subject to a civil fine in an amount not to exceed \$100
12 for each separate offense.

13 **SEC. 7. PROHIBITED ACTS.**

14 (a) INTERFERENCE WITH RIGHTS.—

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

19 (A) discharging or discriminating against
20 (including retaliating against) any individual,
21 including a job applicant, for exercising, or at-
22 tempting to exercise, any right provided under
23 this Act;

24 (B) using the taking of paid sick time
25 under this Act as a negative factor in an em-

1 ployment action, such as hiring, promotion, or
2 a disciplinary action; or

3 (C) counting the paid sick time under a
4 no-fault attendance policy or any other absence
5 control policy.

6 (2) DISCRIMINATION.—It shall be unlawful for
7 any covered employer to discharge or in any other
8 manner discriminate against (including retaliating
9 against) any individual, including a job applicant,
10 for opposing any practice made unlawful by this Act.

11 (b) INTERFERENCE WITH PROCEEDINGS OR INQUIR-
12 IES.—It shall be unlawful for any person to discharge or
13 in any other manner discriminate against (including retali-
14 ating against) any individual, including a job applicant,
15 because such individual—

16 (1) has filed an action, or has instituted or
17 caused to be instituted any proceeding, under or re-
18 lated to this Act;

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

22 (3) has testified, or is about to testify, in any
23 inquiry or proceeding relating to any right provided
24 under this Act.

1 **SEC. 8. ENFORCEMENT AUTHORITY.**

2 (a) IN GENERAL.—

3 (1) DEFINITION.—In this subsection:

4 (A) the term “covered employee” means a
5 covered employee described in clause (i) or (ii)
6 of section 4(3)(B); and

7 (B) the term “covered employer” means a
8 covered employer described in subclause (I) or
9 (II) of section 4(4)(A)(i).

10 (2) CIVIL ACTION BY COVERED EMPLOYEES OR
11 INDIVIDUALS.—

12 (A) RIGHT OF ACTION.—An action to re-
13 cover the damages or equitable relief prescribed
14 in subparagraph (B) may be maintained
15 against any covered employer in any Federal or
16 State court of competent jurisdiction by one or
17 more covered employees or individuals or their
18 representative for and on behalf of—

19 (i) the covered employees or individ-
20 uals; or

21 (ii) the covered employees or individ-
22 uals and others similarly situated.

23 (B) LIABILITY.—Any covered employer
24 who violates section 7 (including a violation re-
25 lating to rights provided under section 5) shall
26 be liable to any covered employee or individual

1 affected for damages and equitable relief, cor-
2 responding to that employee or individual, de-
3 scribed in subparagraphs (A) and (B) of para-
4 graph (1) of section 107(a) of the Family and
5 Medical Leave Act of 1993 (29 U.S.C.
6 2617(a)). In applying those subparagraphs, a
7 reference to a time period shall be considered to
8 be reference to 7 days. Paragraph (3) of that
9 section shall apply to the action.

10 (3) ACTION BY THE SECRETARY.—Section
11 107(b) of that Act (29 U.S.C. 2617(b)) shall apply
12 to complaints of violations described in paragraph
13 (2)(B), with respect to employees, individuals, and
14 damages described in that paragraph.

15 (4) LIMITATION.—

16 (A) IN GENERAL.—An action may be
17 brought under paragraph (2), (3), or (5) not
18 later than 1 year after the date of the last event
19 constituting the alleged violation for which the
20 action is brought.

21 (B) COMMENCEMENT.—In determining
22 when an action is commenced under paragraph
23 (2), (3), or (5) for the purposes of this para-
24 graph, it shall be considered to be commenced
25 on the date when the complaint is filed.

1 (5) ACTION FOR INJUNCTION BY SECRETARY.—
2 Section 107(d) of that Act (29 U.S.C. 2617(d)) shall
3 apply to violations described in paragraph (2)(B),
4 with respect to employees and individuals described
5 in that paragraph.

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

17 (c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE
18 3, UNITED STATES CODE.—The powers, remedies, and
19 procedures provided in chapter 5 of title 3, United States
20 Code, to the President, the Merit Systems Protection
21 Board, or any person, alleging a violation of section
22 412(a)(1) of that title, shall be the powers, remedies, and
23 procedures this Act provides to the President, that Board,
24 or any person, respectively, alleging an unlawful employ-

1 ment practice in violation of this Act against a covered
2 employee described in section 4(3)(B)(iv).

3 (d) EMPLOYEES COVERED BY SECTION 717 OF THE
4 CIVIL RIGHTS ACT OF 1964.—The powers, remedies, and
5 procedures provided in title 5, United States Code, to an
6 employing agency, provided in chapter 12 of that title to
7 the Merit Systems Protection Board, or provided under
8 that title to any person, alleging a violation of chapter 63
9 of that title, shall be the powers, remedies, and procedures
10 this Act provides to that agency, that Board, or any per-
11 son, respectively, alleging an unlawful employment prac-
12 tice in violation of this Act against a covered employee
13 described in section 4(3)(B)(v).

14 (e) REMEDIES FOR STATE EMPLOYEES.—

15 (1) WAIVER OF SOVEREIGN IMMUNITY.—A
16 State's receipt or use of Federal financial assistance
17 for any program or activity of a State shall con-
18 stitute a waiver of sovereign immunity, under the
19 11th amendment to the Constitution or otherwise, to
20 a suit brought by a covered employee of that pro-
21 gram or activity under this Act for equitable, legal,
22 or other relief authorized under this Act.

23 (2) OFFICIAL CAPACITY.—An official of a State
24 may be sued in the official capacity of the official by
25 any covered employee who has complied with the

1 procedures under subsection (a)(2), for injunctive re-
2 lief that is authorized under this Act. In such a suit
3 the court may award to the prevailing party those
4 costs authorized by section 722 of the Revised Stat-
5 utes (42 U.S.C. 1988).

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

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

16 **SEC. 9. EFFECT ON OTHER LAWS.**

17 (a) **FAMILY AND MEDICAL LEAVE ACT OF 1993.**—
18 Nothing in this Act shall be construed to modify or affect
19 the Family and Medical Leave Act of 1993 (29 U.S.C.
20 2601 et seq.).

21 (b) **STATE AND LOCAL LAWS.**—Nothing in this Act
22 shall be construed to supersede (including preempting)
23 any provision of any State or local law that provides great-
24 er paid sick time or leave rights (including greater paid
25 sick time or leave, or greater coverage of those eligible for

1 paid sick time or leave) than the rights established under
2 this Act.

3 **SEC. 10. EFFECT ON EXISTING EMPLOYMENT BENEFITS.**

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

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

15 **SEC. 11. ENCOURAGEMENT OF MORE GENEROUS LEAVE**
16 **POLICIES.**

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

21 **SEC. 12. REGULATIONS.**

22 (a) IN GENERAL.—Not later than 15 days after the
23 date of enactment of this Act, the Secretary shall prescribe
24 such interim final regulations as are necessary to carry
25 out this Act with respect to covered employees described

1 in clause (i) or (ii) of section 4(3)(B) and other individuals
2 affected by covered employers described in subclause (I)
3 or (II) of section 4(4)(A)(i).

4 (b) EMPLOYEES COVERED BY CONGRESSIONAL AC-
5 COUNTABILITY ACT OF 1995.—

6 (1) AUTHORITY.—Not later than 30 days after
7 the date of enactment of this Act, each congressional
8 regulating authority shall prescribe such interim
9 final regulations as are necessary to carry out this
10 Act with respect to covered employees described in
11 section 4(3)(B)(iii) and under the regulating
12 authority’s jurisdiction and other individuals affected
13 by covered employers described in section
14 4(4)(A)(i)(III) and under the regulating authority’s
15 jurisdiction.

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
20 congressional regulating authority may determine,
21 for good cause shown and stated together with the
22 regulations prescribed under paragraph (1), that a
23 modification of such regulations would be more ef-
24 fective for the implementation of the rights and pro-
25 tections involved under this section.

1 (3) CONGRESSIONAL REGULATING AUTHOR-
2 ITY.—The term “congressional regulating authority”
3 means—

4 (A) the Committee on Rules of the House
5 of Representatives, with respect to a covered
6 employee described in paragraph (7) of section
7 101 of the Congressional Accountability Act of
8 1995 (2 U.S.C. 1301) and the covered employer
9 of that employee;

10 (B) the Committee on Rules of the Senate,
11 with respect to a covered employee described in
12 paragraph (8) of that section and the covered
13 employer of that employee; and

14 (C) the head of a covered employer de-
15 scribed in paragraph (9)(D) of that section,
16 with respect to a corresponding covered em-
17 ployee described in any of subparagraphs (C)
18 through (I) of paragraph (3) of that section
19 and the covered employer.

20 (e) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE
21 3, UNITED STATES CODE.—

22 (1) AUTHORITY.—Not later than 30 days after
23 the date of enactment of this Act, the President (or
24 the designee of the President) shall prescribe such
25 interim final regulations as are necessary to carry

1 out this Act with respect to covered employees de-
2 scribed in section 4(3)(B)(iv) and other individuals
3 affected by covered employers described in section
4 4(4)(A)(i)(IV).

5 (2) AGENCY REGULATIONS.—The regulations
6 prescribed under paragraph (1) shall be the same as
7 substantive regulations promulgated by the Sec-
8 retary to carry out this Act except insofar as the
9 President (or designee) may determine, for good
10 cause shown and stated together with the regula-
11 tions prescribed under paragraph (1), that a modi-
12 fication of such regulations would be more effective
13 for the implementation of the rights and protections
14 involved under this section.

15 (d) EMPLOYEES COVERED BY SECTION 717 OF THE
16 CIVIL RIGHTS ACT OF 1964.—

17 (1) AUTHORITY.—Except as provided in para-
18 graph (2), not later than 30 days after the date of
19 enactment of this Act, the Director of the Office of
20 Personnel Management shall prescribe such interim
21 final regulations as are necessary to carry out this
22 Act with respect to covered employees described in
23 section 4(3)(B)(v) and other individuals affected by
24 covered employers described in section 4(4)(A)(i)(V).

1 (2) GOVERNMENT ACCOUNTABILITY OFFICE; LI-
2 BRARY OF CONGRESS; GOVERNMENT PRINTING OF-
3 FICE.—The Comptroller General of the United
4 States, the Librarian of Congress, and the Public
5 Printer shall prescribe the interim final regulations
6 with respect to covered employees of the Government
7 Accountability Office, the Library of Congress, and
8 the Government Printing Office, respectively and
9 other individuals affected by the Comptroller Gen-
10 eral of the United States, the Librarian of Congress,
11 and the Public Printer, respectively.

12 (3) AGENCY REGULATIONS.—The regulations
13 prescribed under paragraph (1) or (2) shall be the
14 same as substantive regulations promulgated by the
15 Secretary to carry out this Act except insofar as the
16 Director, Comptroller General of the United States,
17 the Librarian of Congress, or the Public Printer
18 may determine, for good cause shown and stated to-
19 gether with the regulations prescribed under para-
20 graph (1) or (2), that a modification of such regula-
21 tions would be more effective for the implementation
22 of the rights and protections involved under this sec-
23 tion.

1 **SEC. 13. EFFECTIVE DATES.**

2 (a) **EFFECTIVE DATE.**—This Act (other than section
3 12) shall take effect—

4 (1) with respect to covered employees described
5 in clause (i) or (ii) of section 4(3)(B), and their cov-
6 ered employers, 15 days after the date of enactment
7 of this Act; and

8 (2) except as provided in paragraph (1), 30
9 days after the date of enactment of this Act.

10 (b) **TERMINATION.**—This Act shall terminate 2 years
11 after the date of enactment of this Act.

○