

111TH CONGRESS
2D SESSION

S. 3811

To establish the Military Family-Friendly Employer Award for employers that have developed and implemented workplace flexibility policies to assist the working spouses and caregivers of service members, and returning service members, in addressing family and home needs during deployments.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2010

Mrs. LINCOLN (for herself and Mr. CRAPO) introduced the following bill;
which was read twice and referred to the Committee on Armed Services

A BILL

To establish the Military Family-Friendly Employer Award for employers that have developed and implemented workplace flexibility policies to assist the working spouses and caregivers of service members, and returning service members, in addressing family and home needs during deployments.

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 “Military Family-
5 Friendly Employer Award Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) EMPLOYER.—The term “employer”—

4 (A) means any person (as defined in sec-
5 tion 3(a) of the Fair Labor Standards Act of
6 1938 (29 U.S.C. 202(a))) engaged in commerce
7 or in any industry or activity affecting com-
8 merce; and

9 (B) includes any agency of a State, or po-
10 litical subdivision thereof.

11 The term does not include the Government of the
12 United States or any agency thereof.

13 (2) SECRETARY.—The term “Secretary” means
14 the Secretary of Defense.

15 **SEC. 3. ESTABLISHMENT OF MILITARY FAMILY-FRIENDLY**
16 **EMPLOYER AWARD.**

17 (a) IN GENERAL.—There is established in the De-
18 partment of Defense an annual award to be known as the
19 Military Family-Friendly Employer Award (hereafter re-
20 ferred to in this Act as the “Award”) for employers that
21 have developed and implemented workplace flexibility poli-
22 cies and practices—

23 (1) to assist the working spouses and caregivers
24 of members of the Armed Forces who are deployed
25 away from home, and to assist such members upon
26 their return from deployment, so that the needs of

1 the home may be addressed during and after such
2 deployments; and

3 (2) that reflect a deep awareness and commit-
4 ment in response to the needs of the military family
5 unit.

6 (b) PLAQUE.—The Award shall be evidenced by a
7 plaque bearing the title “Military Family-Friendly Em-
8 ployer Award”.

9 (c) APPLICATION.—

10 (1) IN GENERAL.—An employer desiring consid-
11 eration for an Award shall submit an application to
12 the Secretary at such time, in such manner, and
13 containing such information as such Secretary may
14 require.

15 (2) REAPPLICATION.—An employer may re-
16 apply for an Award, regardless of whether the em-
17 ployer has been a previous recipient of such Award.

18 (d) DISPLAY ON WEB SITE.—The Secretary shall
19 make publically available on its Internet website the names
20 of each recipient of the Award.

21 (e) PRESENTATION OF AWARD.—The Secretary (or
22 the Secretary’s designee) shall present annually the Award
23 to employers under this section.

1 **SEC. 4. MILITARY FAMILY-FRIENDLY SPECIAL TASK FORCE.**

2 (a) ESTABLISHMENT.—There is established within
3 the Department of Defense a Military Family-Friendly
4 Special Task Force (hereafter referred to in this Act as
5 the “Task Force”).

6 (b) COMPOSITION.—

7 (1) IN GENERAL.—The Task Force shall be
8 composed of 9 members to be appointed as follows:

9 (A) The Secretary shall appoint one indi-
10 vidual to serve as the chairperson of the Task
11 Force.

12 (B) The Secretary, in consultation with the
13 Secretary of Labor and based on recommenda-
14 tions made by the majority and minority leaders
15 of the Senate and the Speaker and minority
16 leader of the House of Representatives, shall
17 appoint—

18 (i) two members who shall be work-
19 life experts; and

20 (ii) two members who shall be rep-
21 resentatives of the general business com-
22 munity; and

23 (C) The Secretary, based on recommenda-
24 tions made by the majority and minority leaders
25 of the Senate and the Speaker and minority

1 leader of the House of Representatives, shall
2 appoint—

3 (i) two members who shall be experts
4 on the Armed Forces; and

5 (ii) two members who shall be rep-
6 resentatives of families with one or more
7 members serving in the Armed Forces.

8 (2) QUALIFICATIONS.—In appointing members
9 of the Task Force the Secretary shall ensure—

10 (A) that such members are individuals
11 with knowledge and experience in workplace
12 flexibility policies as such policies relate to serv-
13 ices in and support for the Armed Forces;

14 (B) that not more than 2 members ap-
15 pointed under paragraph (1)(B) are from the
16 same political party; and

17 (C) that not more than 2 members ap-
18 pointed under paragraph (1)(C) are from the
19 same political party.

20 (3) TERMS.—

21 (A) IN GENERAL.—Except as provided
22 under subparagraphs (B) and (C), each mem-
23 ber of the Task Force shall be appointed for 2
24 years and may be reappointed.

1 (B) TERMS OF INITIAL APPOINTEES.—As
 2 designated by the Secretary at the time of ap-
 3 pointment, of the members of the Task Force
 4 first appointed, 4 shall each be appointed for a
 5 1-year term and the remainder shall each be
 6 appointed for a 2-year term.

7 (C) VACANCIES.—Any member of the Task
 8 Force appointed to fill a vacancy occurring be-
 9 fore the expiration of the term for which the
 10 member's predecessor was appointed shall be
 11 appointed only for the remainder of that term.
 12 A member may serve after the expiration of
 13 that member's term until a successor has taken
 14 office.

15 (4) LIMITATION.—The Secretary may not ap-
 16 point any Member of Congress to the Task Force.

17 (c) DUTIES.—The Task Force shall—

18 (1) develop and review military-centered ques-
 19 tions for integration into the award model for deter-
 20 mining which applicant employers should receive an
 21 Award;

22 (2) determine how such questions should be
 23 weighed in making Award determinations what
 24 threshold should be used as the minimum for mak-
 25 ing such Awards;

1 (3) review responses to a sample of such ques-
 2 tions posed as part of any questionnaire used for
 3 purposes of making such Awards;

4 (4) consider private sector award models such
 5 as the Malcolm Baldrige National Quality Award or
 6 the Alfred P. Sloan Award for Business Excellence
 7 in Workplace Flexibility;

8 (5) determine criteria for the delivery of the
 9 Award; and

10 (6) carry out any other activities determined
 11 appropriate by the Secretary.

12 (d) OPERATIONS.—

13 (1) MEETINGS.—

14 (A) IN GENERAL.—Except for the initial
 15 meeting of the Task Force under subparagraph
 16 (B), the Task Force shall meet at the call of
 17 the chairperson or a majority of its members.

18 (B) INITIAL MEETING.—The Task Force
 19 shall conduct its first meeting not later than 90
 20 days after the appointment of all of its mem-
 21 bers.

22 (2) VOTING AND RULES.—A majority of mem-
 23 bers of the Task Force shall constitute a quorum to
 24 conduct business. The Task Force may establish by
 25 majority vote any other rules for the conduct of the

1 business of the Task Force, if such rules are not in-
2 consistent with this section or other applicable law.

3 (3) COMPENSATION AND TRAVEL.—All mem-
4 bers of the Task Force shall be compensated at a
5 rate equal to the daily equivalent of the annual rate
6 of basic pay prescribed for level IV of the Executive
7 Schedule under section 5315 of title 5, United
8 States Code, for each day (including travel time)
9 during which such member is engaged in the per-
10 formance of duties of the Task Force. The members
11 of the Task Force shall be allowed travel expenses,
12 including per diem in lieu of subsistence, at rates
13 authorized for employees of agencies under sub-
14 chapter 1 of chapter 57 of title 5, United States
15 Code, while away from their homes or regular places
16 of business in the performance of services for the
17 Task Force.

18 **SEC. 5. REGULATIONS.**

19 The Secretary may prescribe regulations to carry out
20 the purposes of this Act.

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