

111TH CONGRESS  
2D SESSION

# S. 3877

To amend the Port-to-Portal Act of 1947 to suspend the statute of limitations for certain rights of action under the Fair Labor Standards Act during investigations by the Secretary of Labor.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

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

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## A BILL

To amend the Port-to-Portal Act of 1947 to suspend the statute of limitations for certain rights of action under the Fair Labor Standards Act during investigations by the Secretary of Labor.

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 “Wage Theft Prevention  
5 Act”.

### 6 **SEC. 2. TOLLING OF STATUTE OF LIMITATIONS.**

7 Section 6 of the Portal-to-Portal Act (29 U.S.C. 255)  
8 is amended—

1           (1) by striking the period at the end inserting  
2       “; and”; and

3           (2) by adding at the end the following:

4           “(e) with respect to any eventual cause of ac-  
5       tion described in this section, the running of the  
6       statutory periods of limitation set forth in this sec-  
7       tion shall be tolled from the date the Secretary of  
8       Labor provides notice to the employer of any inves-  
9       tigation related to such cause of action, until the  
10      date the Secretary provides notice to the employer  
11      that such investigation has concluded.”.

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