

116TH CONGRESS
1ST SESSION

H. R. 3468

To amend the Fair Labor Standards Act of 1938 to provide that sex includes sexual orientation and gender identity, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2019

Mr. BROWN of Maryland (for himself, Mr. CICILLINE, Mr. CRIST, Ms. MOORE, Ms. NORTON, Ms. HAALAND, Ms. SCHAKOWSKY, Mr. SOTO, and Ms. CRAIG) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Fair Labor Standards Act of 1938 to provide that sex includes sexual orientation and gender identity, and for other purposes.

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 “Fair Pay for All Act
5 of 2019”.

6 **SEC. 2. SEX TO INCLUDE SEXUAL ORIENTATION AND GEN-**
7 **DER IDENTITY.**

8 Section 6(d)(4) of the Fair Labor Standards Act of
9 1938 (29 U.S.C. 206(d)(4)) is amended—

1 (1) by striking the period at the end and insert-
2 ing a semicolon;

3 (2) by striking “subsection, the term” and in-
4 serting the following: “subsection—

5 “(A) the term”; and

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

7 “(B) the term ‘gender identity’ means the gen-
8 der-related identity, appearance, mannerisms, or
9 other gender-related characteristics of an individual,
10 regardless of the individual’s designated sex at birth;

11 “(C) the term ‘sex’ includes—

12 “(i) a sex stereotype;

13 “(ii) pregnancy, childbirth, or a related
14 medical condition;

15 “(iii) sexual orientation or gender identity;

16 and

17 “(iv) sex characteristics, including intersex
18 traits; and

19 “(D) the term ‘sexual orientation’ includes ho-
20 mosexuality, heterosexuality, and bisexuality.”.

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