

# Union Calendar No. 432

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 1320

[Report No. 119-506]

To ensure that the provision of portable benefits to an individual is not considered in determining whether such individual is an employee of a person.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2025

Mr. KILEY of California (for himself and Mr. MESSMER) introduced the following bill; which was referred to the Committee on Education and Workforce

FEBRUARY 20, 2026

Additional sponsors: Mr. KEAN, Mr. CARTER of Georgia, Mr. OWENS, Mr. ONDER, Mr. GROTHMAN, Mr. BAUMGARTNER, Ms. STEFANIK, and Mrs. MILLER of Illinois

FEBRUARY 20, 2026

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 13, 2025]

# **A BILL**

To ensure that the provision of portable benefits to an individual is not considered in determining whether such individual is an employee of a person.

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 “Modern Worker Security*  
5 *Act”.*

6 **SEC. 2. PROHIBITION ON CONSIDERATION OF BENEFITS.**

7 (a) *PROHIBITION.*—*Beginning on the date of enact-*  
8 *ment of this Act, for the purposes of any Federal law, a*  
9 *determination of whether an individual is an employee of*  
10 *a person shall be made without considering whether such*  
11 *person provides a benefit to the individual.*

12 (b) *BENEFIT DEFINED.*—*In this Act, the term “ben-*  
13 *efit” includes—*

14 (1) *a benefit, including a protection, that is pro-*  
15 *vided to an individual for work performed for another*  
16 *person that the individual may maintain without re-*  
17 *gard to whether the individual continues to perform*  
18 *work for such person;*

19 (2) *a benefit, including a protection, that is com-*  
20 *monly provided to a full-time employee (such as*  
21 *workers’ compensation, skills training, professional*  
22 *development, paid leave, disability coverage, health*  
23 *insurance coverage, retirement savings, and short-*  
24 *term savings); and*

1           (3) a contribution, financial or otherwise, with  
2           respect to a benefit described in paragraph (1) or (2)  
3           that is—

4                   (A) made on behalf of an individual by a  
5                   person in connection with work performed by the  
6                   individual for the person;

7                   (B) made by the individual; or

8                   (C) made through a combination of sub-  
9                   paragraphs (A) and (B).

Amend the title so as to read: “A bill to prohibit the consideration of benefits when determining whether an individual is an employee of a person.”.



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