

McDonald Rivet	Pettersen	Stevens	Fulcher	Latta	Rose	Panetta	Schakowsky	Titus
McGarvey	Pingree	Strickland	Garbarino	Lawler	Rouzer	Pappas	Schneider	Tlaib
McGovern	Pocan	Subramanyam	Gill (TX)	Lee (FL)	Roy	Pelosi	Scholten	Tokuda
McIver	Pou	Suozi	Gimenez	Letlow	Rulli	Perez	Schrier	Tonko
Meeks	Pressley	Takano	Goldman (TX)	Loudermilk	Rutherford	Peters	Scott (VA)	Torres (CA)
Menendez	Quigley	Thanedar	Gonzales, Tony	Lucas	Salazar	Pettersen	Scott, David	Torres (NY)
Meng	Ramirez	Thompson (CA)	Gooden	Luna	Scalise	Pingree	Sewell	Tran
Mfume	Randall	Thompson (MS)	Gosar	Luttrell	Schmidt	Pocan	Sherman	Trahan
Min	Raskin	Titus	Graves	Mace	Schweikert	Pou	Simon	Underwood
Moore (WI)	Riley (NY)	Tlaib	Griffith	Mackenzie	Scott, Austin	Pressley	Smith (WA)	Vargas
Morelle	Rivas	Tokuda	Grothman	Malliotakis	Self	Quigley	Sorensen	Vasquez
Morrison	Ross	Tonko	Guest	Maloy	Sessions	Ramirez	Soto	Veasey
Moskowitz	Ruiz	Torres (CA)	Guthrie	Mann	Shreve	Randall	Stansbury	Velázquez
Moulton	Ryan	Torres (NY)	Hageman	Massie	Simpson	Raskin	Stanton	Vindman
Mrvan	Salinas	Trahan	Hamadeh (AZ)	Mast	Smith (MO)	Riley (NY)	Stevens	Walkinshaw
Mullin	Sánchez	Tran	Haridopolos	McCaul	Smith (NE)	Rivas	Strickland	Wasserman
Nadler	Scanlon	Underwood	Harrigan	McClain	Smith (NJ)	Ross	Subramanyam	Schultz
Neal	Schakowsky	Vargas	Harris (MD)	McClintock	Smucker	Ruiz	Suozi	Waters
Neguse	Schneider	Vasquez	Harris (NC)	McCormick	Spartz	Ryan	Takano	Watson Coleman
Norcross	Scholten	Veasey	Harshbarger	McDowell	Staubert	Salinas	Thanedar	Whitesides
Ocasio-Cortez	Schrier	Velázquez	Hern (OK)	McGuire	Stefanik	Sánchez	Thompson (CA)	Williams (GA)
Olszewski	Scott (VA)	Vindman	Higgins (LA)	Messmer	Steil	Scanlon	Thompson (MS)	
Omar	Scott, David	Walkinshaw	Hill (AR)	Meuser	Steube			
Pallone	Sewell	Wasserman	Hinson	Miller (IL)	Strong			
Panetta	Simon	Schultz	Houchin	Miller (OH)	Stutzman	Casar	Hunt	Van Orden
Pappas	Smith (WA)	Waters	Hudson	Miller (WV)	Taylor	Dunn (FL)	Murphy	Wilson (FL)
Pelosi	Sorensen	Watson Coleman	Huizenga	Miller-Meeks	Tenney	Gray	Swalwell	
Perez	Soto	Whitesides	Hurd (CO)	Mills	Thompson (PA)	Houlahan	Sykes	
Peters	Stanton	Williams (GA)	Issa	Moolenaar	Tiffany			

NOT VOTING—20

Boebert	Hunt	Sherman
Casar	Kiggans (VA)	Stansbury
Dunn (FL)	Luna	Swalwell
Gimenez	Mast	Sykes
Gray	Miller (WV)	Van Orden
Houchin	Moolenaar	Wilson (FL)
Houlahan	Murphy	

□ 1355

Ms. VELÁZQUEZ, Messrs. LANDSMAN, CUELLAR, BERA, GOTTHEIMER, and MOSKOWITZ changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Ms. STANSBURY. Mr. Speaker, had I been present, I would have voted NAY on Roll Call No. 16.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. LEGER FERNANDEZ. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 207, not voting 10, as follows:

[Roll No. 17]

AYES—214

Aderholt	Bresnahan	Diaz-Balart
Alford	Buchanan	Donalds
Allen	Burchett	Downing
Amodעי (NV)	Burlison	Edwards
Arrington	Calvert	Ellzey
Babin	Cammack	Emmer
Bacon	Carey	Estes
Baird	Carter (GA)	Evans (CO)
Balderson	Carter (TX)	Ezell
Barr	Ciscomani	Fallon
Barrett	Cline	Fedorchak
Baumgartner	Cloud	Feenstra
Bean (FL)	Clyde	Pine
Begich	Cole	Finstad
Bentz	Collins	Fischbach
Bergman	Comer	Fitzgerald
Bice	Crane	Fitzpatrick
Biggs (AZ)	Crank	Fleischmann
Biggs (SC)	Crawford	Flood
Bilirakis	Crenshaw	Fong
Boebert	Davidson	Foxx
Bost	De La Cruz	Franklin, Scott
Brecheen	DesJarlais	Fry

Jack	Jackson (TX)	James
Johnson (LA)	Johnson (SD)	Jordan
Joyce (OH)	Joyce (PA)	Kean
Kelly (MS)	Kelly (PA)	Kennedy (UT)
Kiggans (VA)	Kiley (CA)	Kim
Knott	Kustoff	LaHood
LaLota	Langworthy	

NOES—207

Adams	DelBene	Kelly (IL)
Aguilar	Deluzio	Kennedy (NY)
Amo	DeSaulnier	Khanna
Ansari	Dexter	Krishnamoorthi
Auchincloss	Dingell	Landsman
Balint	Doggett	Larsen (WA)
Barragán	Elfreth	Larson (CT)
Beatty	Escobar	Latimer
Bell	Españillat	Lee (NV)
Bera	Evans (PA)	Lee (PA)
Beyer	Fields	Leger Fernandez
Bishop	Figures	Levin
Bonamici	Fletcher	Liccardo
Boyle (PA)	Poster	Lieu
Brown	Foushee	Lofgren
Brownley	Frankel, Lois	Lynch
Budzinski	Friedman	Magaziner
Bynum	Frost	Mannion
Carbajal	Garamendi	Matsui
Carson	Garcia (CA)	McBath
Carter (LA)	Garcia (IL)	McBride
Case	Garcia (TX)	McClain Delaney
Casten	Gillen	McClellan
Castor (FL)	Golden (ME)	McCollum
Castro (TX)	Goldman (NY)	McDonald Rivet
Cherfilus-	Gomez	McGarvey
McCormick	Gonzalez, V.	McGovern
Chu	Goodlander	McIver
Cisneros	Gotthelmer	Meeks
Clark (MA)	Green, Al (TX)	Menendez
Clarke (NY)	Grijalva	Meng
Cleaver	Harder (CA)	Mfume
Clyburn	Hayes	Min
Cohen	Himes	Moore (WI)
Conaway	Horsford	Morelle
Correa	Hoyer	Morrison
Costa	Hoyle (OR)	Moskowitz
Courtney	Huffman	Moulton
Craig	Ivey	Mrvan
Crockett	Jackson (IL)	Mullin
Crow	Jacobs	Nadler
Cuellar	Jayapal	Neal
Davids (KS)	Jeffries	Neguse
Davis (IL)	Johnson (GA)	Norcross
Davis (NC)	Johnson (TX)	Ocasio-Cortez
Dean (PA)	Kamlaeger-Dove	Olszewski
DeGette	Kaptur	Omar
DeLauro	Keating	Pallone

NOT VOTING—10

Dunn (FL)	Hunt	Van Orden
Gray	Murphy	Wilson (FL)
Houlahan	Swalwell	
	Sykes	

□ 1403

So the resolution was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1410

FLEXIBILITY FOR WORKERS EDUCATION ACT

Mr. WALBERG. Mr. Speaker, pursuant to House Resolution 988, I call up the bill (H.R. 2262) to amend the Fair Labor Standards Act of 1938 to exclude certain activities from hours worked, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MEUSER). Pursuant to House Resolution 988, the amendment in the nature of a substitute recommended by the Committee on Education and Workforce, printed in the bill, modified by the amendment printed in part B of House Report 119-440, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2262

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Flexibility for Workers Education Act”.

SEC. 2. TREATMENT OF ATTENDANCE OR PARTICIPATION IN CERTAIN ACTIVITIES.

(a) *IN GENERAL.*—Section 3(o) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(o)) is amended to read as follows:

“(o) *HOURS WORKED.*—In determining for the purposes of sections 6 and 7 the hours for which an employee is employed—

“(1) there shall be excluded—

“(A) any time spent in changing clothes or washing at the beginning or end of each workday which was excluded from measured working time during the week involved by the express terms of or by custom or practice under a bona fide collective-bargaining agreement applicable to the particular employee; and

(B) except as provided in paragraph (2), any time spent attending or participating in an education or training program or a similar activity

(such as a lecture), regardless of whether the program or activity is offered or facilitated by the employer, provided that—

“(i) such attendance or participation occurs outside of the employee’s regular working hours;

“(ii) such attendance or participation is voluntary, and the employer does not take adverse action against the employee on the basis that such employee does not so attend or participate; and

“(iii) the employee does not perform any work for the employer during such attendance or participation; and

“(2) there may be excluded, in accordance with section 785.32 of title 29, Code of Federal Regulations (as in effect on the date of enactment of the Flexibility for Workers Education Act), any time spent in an organized program of related, supplemental instruction working under a bona fide apprenticeship program.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to hours worked on or after the date of enactment of this Act.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Workforce or their respective designees.

The gentleman from Michigan (Mr. WALBERG) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. WALBERG).

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2262.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WALBERG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, hardworking Americans should never be barred from voluntarily pursuing professional development or training opportunities. In fact, we should be giving workers more opportunities to get the skills they need to thrive in a rapidly changing economy.

Unfortunately, current Federal law makes it harder for employers to provide voluntary training and upscaling opportunities. Oftentimes that means workers must take time out of their busy lives to look beyond the workplace for programs that they should be able to get at work.

Needless to say, this makes absolutely no sense. Employers understand their employees and whether skills gaps exist in their own workforces. If a business knows how to train its employees to succeed in a role, then it should be allowed to teach those skills and invest in the employees’ professional development. There simply is no need for arbitrary roadblocks that make it harder for businesses to offer voluntary trainings to their own employees.

Republicans are already promoting upscaling and training opportunities to

help strengthen the American workforce. Last summer, we passed a Working Families Tax Cuts Act, which expanded opportunities for young Americans to access short-term, high-quality credentialing and training opportunities.

Mr. Speaker, H.R. 2262 builds on that success by simply allowing employers to offer voluntary education and upscaling opportunities to nonexempt employees so that workers can easily take control of their own professional development. This doesn’t just help the business grow. It provides new, tangible skills that help employees do better in their own careers and sets them up for success on their own.

Mr. Speaker, let’s make one thing clear: H.R. 2262 expands voluntary—voluntary—employer-led training opportunities. Businesses would still be required to compensate workers who receive mandatory job training. This bill simply makes it easier for ambitious employees to pursue additional professional development opportunities on their own terms, whether or not it is directly tied to their current job. If a bartender wants to take a course in restaurant management, he or she should be able to do so, and the employer would welcome that dedication.

Let’s look at the bigger picture. Our workforce still has millions of unfilled jobs caused, in part, by a widening skills gap. As our own economy grows, thanks to the progrowth policies of Republicans and the Trump administration, many growing businesses are likely to face skills shortages of their own.

That is why we need commonsense legislation like the Flexibility for Workers Education Act, which makes it easier for workers to get the skills that they need to succeed and for businesses to find the right person for the job.

Throughout my time in Congress and now as chairman of the Education and Workforce Committee, I have consistently fought to expand opportunities to help workers thrive and grow. That is why I am proud to support H.R. 2262, the Flexibility for Workers Education Act, to remove obstacles and give workers more controls over their own careers.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 2262, the so-called Flexibility for Workers Education Act.

We have heard about these roadblocks and obstacles. Mr. Speaker, the roadblocks and obstacles are a requirement that people get paid for their time.

Too many Americans still work too hard but can’t afford the basics, such as groceries, rent, or utilities. Even more, they are struggling to afford the little extras that give you a slice of the American Dream, like owning a home, taking your family on vacation, or

even occasionally going out to a restaurant.

Yet, simply put, the economy just isn’t working for everybody. According to Moody’s Analytics, the top 10 percent of earners account for nearly 50 percent of all of the United States’ consumer spending, so obviously something is out of whack. Despite this reality, House Republicans are attempting to pass three bills this afternoon that would cut workers’ wages.

This bill, H.R. 2262, would relieve employers of the obligation to pay employees for training outside of their regular working hours.

Under the Fair Labor Standards Act, employees must be compensated for employer-mandated education and training outside the regular work hours. Essentially, the FLSA protects workers from being compelled to volunteer their time for job-related training without wage and hour protections.

However, this bill significantly weakens the protections because it would permit employers to provide job-related training after hours but off the clock so long as they do not state that it is technically required.

However, employers can still lead workers to believe that the training is needed. You can just imply that if you want a raise or promotion, it would be nice to get the training. That is not really required. The legislation is based on the flawed premise that if you provide workers with certain opportunities or benefits, employers must be able to pay them less. That doesn’t make sense.

We should not let employers get away with failing to pay workers for their time while claiming that it is in the workers’ best interests. These workers, if they are working on an employer-provided training, should not be required to work off the clock without any compensation.

For that reason, I recommend a “no” vote, and I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield 3 minutes to the gentlewoman from Iowa (Mrs. HINSON), the sponsor of this legislation, to present her bill.

Mrs. HINSON. Mr. Speaker, I thank the gentleman for yielding and for his leadership in committee on this piece of legislation that is designed to empower the American worker.

Mr. Speaker, I rise today in support of my bill, H.R. 2262, the Flexibility for Workers Education Act.

For too long, we know that Washington, D.C., has pursued policies that left American workers behind. Republicans continue to advance progrowth, proworker policies that expand opportunity, reward hard work, and help Americans to get ahead.

No matter where I go out in Iowa—Main Street businesses, farm shops, manufacturing facilities, healthcare facilities—I meet the hardworking men and women of Iowa who want to take that next step in their careers. They want to build skills. They want to earn

more money for their families, and they want to provide a better future for their kids and for other Iowans.

However, outdated regulatory red tape prevents skilled workers from being able to take advantage of voluntary—I repeat—voluntary professional development opportunities offered by employers. My bill, the Flexibility for Workers Education Act, would cut this red tape, expanding access to these voluntary education programs that allow workers to reach their full potential on their terms.

Mr. Speaker, imagine a facilities associate, ready for advancement, who can take evening training courses sponsored by their employer to become an appliance technician. That kind of flexibility opens the door to higher pay and that long-term career growth that they need to see.

I am also very proud to have the support of the chairman of the Education and Workforce Committee, so I thank Representative WALBERG for his support. The gentleman understands how much this will impact workers' bottom lines, being able to take more money home to provide for their families, and so I thank the gentleman for this practical approach that benefits everyone.

□ 1420

Again, we know workers gain skills. They gain opportunity. Employers retain these talented employees in the workforce. There is stronger morale, and communities are building a stronger, more resilient workforce.

Mr. Speaker, I urge my colleagues to support this legislation and continue to expand opportunities for American workers and families. I look forward to continuing to deliver more common-sense solutions to help Iowans and Americans comfortably work and raise their families.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. NORCROSS), a distinguished member of the Committee on Education and Workforce.

Mr. NORCROSS. Mr. Speaker, I thank the chairman and ranking member for what they have done to try to make it better for those who we represent, but I am here to speak out against the flexibility for workers not to be paid education act. Yes, I said that.

This disastrous bill would be a blueprint to commit wage theft on a silver platter.

I know what it is like to be cheated out of wages. That happened to me, unfortunately, when I was a younger man. The rules that are set up are there to protect those who had the least ability to protect themselves.

A fair day's pay for a hard day's work. This is not a slogan. It is a principle of who we are in this country. It is those values that hold this country together.

This bill is pushing corporations to create a loophole. I want to take just a

moment, "voluntary for good causes" is something we all do in America, and we have the ability to do it now. This bill would create more gray areas and, for those who want to exploit workers, give them a roadmap to do it.

Allowing companies to require worker attendance—and you call it voluntary and it is not job-related—without pay, this is what fundamentally is going to change here. If your boss requires it and if you work, you have to be paid. It is the system that is not broken now. This would create ambiguity for those workers saying they are voluntary.

That is not good. In fact, we call those captive meetings now when they come in to preach why worker unions are bad, but they have to pay them now. This would give them the ability to call it a training and not pay them. This is a loophole.

I urge those who introduced this to come up with language that would not allow that to happen. If you truly believe that, then the language that we offered would be something that we could both stand together on.

Mr. Speaker, I urge my colleagues to reject this bill. As I say, if it is not broke, you don't have to fix it. We have a system where people pay to go to college, to go to trade school. I went through an apprenticeship. There are ways we can do this that benefits workers while not creating an opportunity for those who want to exploit them.

Mr. Speaker, at the appropriate time, I want to offer a motion to recommit the bill back to committee. If the House rules permitted, I would have offered this motion with an important amendment to this bill. My amendment, Raise the Wage Act, would ensure all workers receive a long-overdue raise. \$7.25 an hour is minimum wage. That is incredible. Mr. Speaker, 2009 was the last time we touched this. It is unbelievable that 16 years have gone by and that we haven't found it within ourselves the values we hold dear in America to give those who have the least a raise.

We gave billion dollar giveaways to those in the top tax bracket, and we can't raise the minimum wage from \$7.25 an hour. We should hang our heads in shame that we don't think about those who can't make it.

I have heard all of the excuses. We used to regularly have increases on a bipartisan basis since minimum wage started almost a half century ago. Both Democrat and Republican Presidents, Congress, we all understood it. Well, amnesia is something that has hit us. Please, Mr. Speaker, we need to raise the minimum wage. Our policy decisions cannot undercut workers and their families. Raising the minimum wage is not only good for the worker, but for their families.

Mr. Speaker, I ask unanimous consent to insert the text of this amendment into the RECORD immediately prior to the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. NORCROSS. Mr. Speaker, I hope my colleagues will join me in voting for this motion to recommit.

Mr. WALBERG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I certainly applaud my friend and colleague on the other side of the aisle for the commitment to making sure that workers are cared for, employees, but also I want employers to be cared for as well, and the two working together ends up to be the best.

Employers, generally speaking, care about their employees. I know my Democrat colleagues often disagree with that statement, but it is almost always the case in a successful business, especially in a time of intense competition for the workforce.

My Democrat colleagues have suggested that employers will attempt to use H.R. 2262 to commit wage theft. However, the bill clearly states that the educational activity must occur outside of an employee's regular working hours. The attendance is voluntary. The employer cannot take adverse action against an employee for attending the training or not, and the employee cannot perform any work for the employer during their attendance at the training.

I am not sure that it can be any more clear. H.R. 2262 gives employees more options to pursue success, not just in their current role, but in roles they may be interested in and would like to upskill and pursue. Employers recognize that investing in their workers is essential if they are to be successful.

This legislation offers a win for employees wanting to upskill and a win for employers who wish to develop their existing talent.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I was just looking over the internet and found a Reddit discussion board and found one entry that said: "I am bothered by unpaid 2-day training, which is going to be 9 hours each day." This kind of crosses the line, and they just wanted to know if that was legal in New York.

In reference to the motion to recommit, I hope we would support the motion to recommit. It would give us an opportunity to vote on an increase in the minimum wage which hasn't been increased in over a decade.

A few years ago, it was noted that a full-time minimum wage worker could not afford a modest two-bedroom apartment in any county in the United States. Since then, housing costs have gone up, but the minimum wage has stayed the same.

Mr. Speaker, I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I reserve the balance of my time and am ready to close.

Mr. SCOTT of Virginia. Mr. Speaker, in closing, I yield myself the balance of my time.

Mr. Speaker, according to last week's Bureau of Labor statistics, 2025 was the worst year for job growth in this country since the last Trump administration. 2025 had 3 months of job losses. Meanwhile, President Biden had 48 consecutive months without a single loss. At this point in President Biden's term, he had already created millions of jobs. At the end of the first year, President Trump has only created a few hundred thousand.

Yet, despite this reality, the House Republicans are attempting to advance this bill which would allow employers to get away without paying workers for job-related training outside of regular hours so long as it is technically not required.

It will do nothing to lower the costs of living or give working families a leg up. For this reason, I hope we will defeat the bill, and I yield back the balance of my time.

□ 1430

Mr. WALBERG. Mr. Speaker, I yield myself the balance of my time.

Republicans are committed to expanding opportunities for American workers. H.R. 2262, the Flexibility for Workers Education Act, is a common-sense bill that makes it easier for a business to offer voluntary upskilling opportunities to its employees.

As our Nation faces a widening skills gap and millions of unfilled jobs, H.R. 2262 would provide additional pathways for workers to pursue training and fill a growing number of jobs that require skilled workers.

As chairman of the Education and Workforce Committee, I am committed to cutting red tape and removing roadblocks that make it harder for workers and businesses to succeed. The Flexibility for Workers Education Act is another strong step, Mr. Speaker, toward ensuring Washington doesn't put up roadblocks that hinder progress in our workforce.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 988, the previous question is ordered on the bill, as amended.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. NORCROSS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Norcross moves to recommit the bill H.R. 2262 to the Committee on Education and the Workforce.

The material previously referred to by Mr. NORCROSS is as follows:

Mr. Norcross moves to recommit the bill H.R. 2262 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

SEC. 3. MINIMUM WAGE INCREASES.

(a) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

“(1) except as otherwise provided in this section, not less than—

“(A) \$9.50 an hour, beginning on the effective date under section 8 of the Flexibility for Workers Education Act;

“(B) \$11.00 an hour, beginning 1 year after such effective date;

“(C) \$12.50 an hour, beginning 2 years after such effective date;

“(D) \$14.00 an hour, beginning 3 years after such effective date;

“(E) \$15.50 an hour, beginning 4 years after such effective date;

“(F) \$17.00 an hour, beginning 5 years after such effective date; and

“(G) beginning on the date that is 6 years after such effective date, and annually thereafter, the amount determined by the Secretary under subsection (h);”.

(b) DETERMINATION BASED ON INCREASE IN THE MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following:

“(h)(1) Not later than each date that is 90 days before a new minimum wage determined under subsection (a)(1)(G) is to take effect, the Secretary shall determine the minimum wage to be in effect under this subsection for each period described in subsection (a)(1)(G). The wage determined under this subsection for a year shall be—

“(A) not less than the amount in effect under subsection (a)(1) on the date of such determination;

“(B) increased from such amount by the annual percentage increase, if any, in the median hourly wage of all employees as determined by the Bureau of Labor Statistics; and

“(C) rounded up to the nearest multiple of \$0.05, if the amount after applying subparagraphs (A) and (B) is not a multiple of \$0.05.

“(2) In calculating the annual percentage increase in the median hourly wage of all employees for purposes of paragraph (1)(B), the Secretary, through the Bureau of Labor Statistics, shall compile data on the hourly wages of all employees to determine such a median hourly wage and compare such median hourly wage for the most recent year for which data are available with the median hourly wage determined for the preceding year.”.

SEC. 4. TIPPED EMPLOYEES.

(a) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES AND TIPS RETAINED BY EMPLOYEES.—Section 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(2)(A)(i)) is amended to read as follows:

“(i) the cash wage paid such employee, which for purposes of such determination shall be not less than—

“(I) for the 1-year period beginning on the effective date under section 8 of the Flexibility for Workers Education Act, \$6.00 an hour;

“(II) \$8.00 an hour, beginning 1 year after such effective date;

“(III) \$10.00 an hour, beginning 2 years after such effective date;

“(IV) \$12.00 an hour, beginning 3 years after such effective date;

“(V) \$13.50 an hour, beginning 4 years after such effective date;

“(VI) \$15.00 an hour, beginning 5 years after such effective date;

“(VII) \$17.00 an hour, beginning 6 years after such effective date; and

“(VIII) for each succeeding 1-year period after the increase made pursuant to subclause (VII), the minimum wage in effect under section 6(a)(1); and”.

(b) TIPS RETAINED BY EMPLOYEES.—Section 3(m)(2)(A) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(2)(A)) is amended—

(1) in the second sentence of the matter following clause (ii), by striking “of this subsection, and all tips received by such employee have been retained by the employee” and inserting “of this subsection. Any employee shall have the right to retain any tips received by such employee”; and

(2) by adding at the end the following: “An employer shall inform each employee of the right and exception provided under the preceding sentence.”.

(c) SCHEDULED REPEAL OF SEPARATE MINIMUM WAGE FOR TIPPED EMPLOYEES.—

(1) TIPPED EMPLOYEES.—Section 3(m)(2)(A) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(2)(A)), as amended by subsections (a) and (b), is further amended by striking the sentence beginning with “In determining the wage an employer is required to pay a tipped employee,” and all that follows through “of this subsection,” and inserting “The wage required to be paid to a tipped employee shall be the wage set forth in section 6(a)(1).”.

(2) PUBLICATION OF NOTICE.—Subsection (i) of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as added by section 6 and amended by section 7(b)(1), is further amended by striking “or in accordance with subclause (II) or (III) of section 3(m)(2)(A)(i).”.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on the date that is 1 day after the date on which the hourly wage under subclause (VIII) of section 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(2)(A)(i)), as amended by subsection (a), takes effect.

(d) PENALTIES.—Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended—

(1) in the third sentence of subsection (b), by inserting “or used” after “kept”; and

(2) in the second sentence of subsection (e)(2), by inserting “or used” after “kept”.

SEC. 5. NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20 YEARS OLD.

(a) BASE MINIMUM WAGE FOR NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20 YEARS OLD.—Section 6(g)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)(1)) is amended by striking “a wage which is not less than \$4.25 an hour.” and inserting the following: “a wage at a rate that is not less than—

“(A) for the 1-year period beginning on the effective date under section 8 of the Flexibility for Workers Education Act, \$6.00 an hour;

“(B) for each succeeding 1-year period until the hourly wage under this paragraph equals the wage in effect under section 6(a)(1) for such period, an hourly wage equal to the amount determined under this paragraph for the preceding year, increased by the lesser of—

“(i) \$1.75; or

“(ii) the amount necessary for the wage in effect under this paragraph to equal the wage in effect under section 6(a)(1) for such period; and

“(C) for each succeeding 1-year period after the increase made pursuant to subparagraph (B)(ii), the minimum wage in effect under section 6(a)(1).”.

(b) SCHEDULED REPEAL OF SEPARATE MINIMUM WAGE FOR NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20 YEARS OLD.—

(1) IN GENERAL.—Section 6(g) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)), as amended by subsection (a), shall be repealed.

(2) PUBLICATION OF NOTICE.—Subsection (i) of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as added by section 6 and amended by sections 7(b)(1) and 4(c)(2), is further amended by striking “or subparagraph (B) or (C) of subsection (g)(1)”.

(3) EFFECTIVE DATE.—The repeal and amendment made by paragraphs (1) and (2), respectively, shall take effect on the date that is 1 day after the date on which the hourly wage under subparagraph (C) of section 6(g)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)(1)), as amended by subsection (a), takes effect.

SEC. 6. PUBLICATION OF NOTICE.

Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as amended by section 3(b), is further amended by adding at the end the following:

“(i) Not later than 60 days prior to the effective date of any increase in the required wage determined under subsection (a)(1) or subparagraph (B) or (C) of subsection (g)(1), or in accordance with subclause (II) or (III) of section 3(m)(2)(A)(i) or section 14(c)(1)(A), the Secretary shall publish in the Federal Register and on the website of the Department of Labor a notice announcing each increase in such required wage.”.

SEC. 7. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR INDIVIDUALS WITH DISABILITIES.

(a) WAGES.—

(1) TRANSITION TO FAIR WAGES FOR INDIVIDUALS WITH DISABILITIES.—Subparagraph (A) of section 14(c)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)(1)) is amended to read as follows:

“(A) at a rate that equals or exceeds, for each year, the greater of—

“(i)(I) \$5.00 an hour, beginning on the effective date under section 8 of the Flexibility for Workers Education Act;

“(II) \$7.50 an hour, beginning 1 year after such effective date;

“(III) \$10.00 an hour, beginning 2 years after such effective date;

“(IV) \$12.50 an hour, beginning 3 years after such effective date;

“(V) \$15.50 an hour, beginning 4 years after such effective date; and

“(VI) the wage rate in effect under section 6(a)(1), beginning 5 years after such effective date; or

“(ii) if applicable, the wage rate in effect on the day before the date of enactment of the Flexibility for Workers Education Act for the employment, under a special certificate issued under this paragraph, of the individual for whom the wage rate is being determined under this subparagraph.”.

(2) PROHIBITION ON NEW SPECIAL CERTIFICATES; TRANSITION ASSISTANCE.—

(A) IN GENERAL.—Section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) is amended by adding at the end the following:

“(6) PROHIBITION ON NEW SPECIAL CERTIFICATES.—Notwithstanding paragraph (1), the Secretary shall not issue a special certificate under this subsection to an employer that was not issued a special certificate under this subsection before the date of enactment of the Flexibility for Workers Education Act.

“(7) TRANSITION ASSISTANCE.—Upon request, the Secretary shall provide—

“(A) technical assistance and information to employers issued a special certificate under this subsection for the purposes of—

“(i) assisting such employers to comply with this subsection, as amended by the Flexibility for Workers Education Act; and

“(ii) ensuring continuing employment opportunities for individuals with disabilities receiving a special minimum wage rate under this subsection; and

“(B) information to individuals employed at a special minimum wage rate under this subsection, which may include referrals to Federal or State entities with expertise in competitive integrated employment.”.

(B) EFFECTIVE DATE.—The amendments made by this paragraph shall take effect on the date of enactment of this Act.

(3) SUNSET.—Section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)), as amended by paragraph (2), is further amended by adding at the end the following:

“(8) SUNSET.—Beginning on the day after the date on which the wage rate described in paragraph (1)(A)(i)(VI) takes effect, the authority to issue special certificates under paragraph (1) shall expire, and no special certificates issued under paragraph (1) shall have any legal effect.”.

(b) PUBLICATION OF NOTICE.—

(1) AMENDMENT.—Subsection (i) of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as added by section 6, is amended by striking “or section 14(c)(1)(A)”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the day after the date on which the wage rate described in paragraph (1)(A)(i)(VI) of section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)), as amended by subsection (a)(1), takes effect.

SEC. 8. GENERAL EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect on the first day of the third month that begins after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. NORCROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

EMPOWERING EMPLOYER CHILD AND ELDER CARE SOLUTIONS ACT

Mr. WALBERG. Mr. Speaker, Pursuant to House Resolution 988, I call up the bill (H.R. 2270) to amend the Fair Labor Standards Act of 1938 to exclude child and dependent care services and payments from the rate used to compute overtime compensation, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 988, the amendment in the nature of a substitute recommended by the Committee on Education and Workforce, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2270

SECTION 1. SHORT TITLE.

This Act may be cited as the “Empowering Employer Child and Elder Care Solutions Act”.

SEC. 2. EXCLUSION OF CHILD AND DEPENDENT CARE IN COMPUTING OVERTIME COMPENSATION.

(a) IN GENERAL.—Section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)) is amended—

(1) in paragraph (2), by inserting “payments or reimbursements for child or dependent care services;” after “by the employer;”;

(2) in paragraph (7), by striking “or” at the end;

(3) in paragraph (8)(D)(ii), by striking the period at the end and inserting “; or”; and

(4) by adding at the end the following: “(9) the value of any child or dependent care services provided by an employer.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to overtime compensation required to be paid for workweeks beginning on or after the date of enactment of this Act.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Workforce or their respective designees.

The gentleman from Michigan (Mr. WALBERG) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. WALBERG).

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 2270.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WALBERG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of the Empowering Employer Child and Elder Care Solutions Act, a bipartisan proposal that meets working families where they are and strengthens our economy at the same time.

Across this country, millions of Americans are doing two full-time jobs at once. They are employees striving to be productive and dependable at work, and they are caregivers—parents of young children, sons and daughters caring for aging parents, or both. These responsibilities do not disappear when the workday begins. They shape whether a worker can show up on time, stay focused, or remain in the workforce at all.

Along with many other affordability challenges, the increasing cost of child and dependent care is a serious issue facing our country. Parents leave jobs they want to keep. Caregivers turn down promotions or reduce hours. Businesses lose skilled workers, productivity declines, and the entire economy pays the price.

Many employers want to provide child and elder care for their employees, but the law discourages them from