

116TH CONGRESS
1ST SESSION

H. R. 3522

To amend the Fair Labor Standards Act of 1938 to clarify the definition of employee as it relates to direct sellers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2019

Mr. WALBERG (for himself, Mr. GOTTHEIMER, Mr. CUELLAR, Mr. CURTIS, Mr. MCADAMS, and Mr. GOODEN) 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 clarify the definition of employee as it relates to direct sellers, 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 “Preserving Direct Sell-
5 er Independence Act”.

6 **SEC. 2. DEFINITIONS.**

7 Section 3(e) of the Fair Labor Standards Act of 1938
8 (29 U.S.C. 203(e)) is amended by inserting after para-
9 graph (5) the following:

1 “(6) The term ‘employee’ does not include any
2 person identified in section 3508(b)(2) of the Inter-
3 nal Revenue Code of 1986.”.

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