

118TH CONGRESS
1ST SESSION

H. R. 5578

To extend protections to part-time workers in the areas of family and medical leave and to ensure equitable treatment in the workplace.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2023

Ms. SCHAKOWSKY (for herself, Ms. DELAURO, Mr. DOGGETT, Mr. BOWMAN, Ms. PORTER, Mr. MCGOVERN, Ms. NORTON, Ms. PRESSLEY, Ms. LEE of California, Mr. DAVIS of Illinois, Mr. GARCÍA of Illinois, and Ms. CHU) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Accountability, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To extend protections to part-time workers in the areas of family and medical leave and to ensure equitable treatment in the workplace.

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 “Part-Time Worker Bill
5 of Rights Act”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—EXPANDING ACCESS TO BENEFITS FOR PART-TIME
WORKERS

Sec. 101. Elimination of hours of service requirement for FMLA leave.

TITLE II—ENSURING FAIR TREATMENT FOR PART-TIME AND
TEMPORARY WORKERS

Sec. 201. Definitions.

Sec. 202. Elimination of discrimination on the basis of hours worked.

Sec. 203. Offer of work to existing employees.

Sec. 204. Prohibited acts.

Sec. 205. Remedies and enforcement.

Sec. 206. Regulations.

3 **TITLE I—EXPANDING ACCESS TO**
4 **BENEFITS FOR PART-TIME**
5 **WORKERS**

6 **SEC. 101. ELIMINATION OF HOURS OF SERVICE REQUIRE-**
7 **MENT FOR FMLA LEAVE.**

8 (a) AMENDMENT.—Section 101(2)(A) of the Family
9 and Medical Leave Act of 1993 (29 U.S.C. 2611(2)(A))
10 is amended to read as follows:

11 “(A) IN GENERAL.—The term ‘eligible em-
12 ployee’ means an employee who has been em-
13 ployed for at least 90 days by the employer with
14 respect to whom leave is requested under sec-
15 tion 102.”.

16 (b) AMENDMENTS TO RELATED STATUTES.—

17 (1) CONGRESSIONAL ACCOUNTABILITY ACT OF
18 1995.—Section 202(a)(2)(B) of the Congressional

1 Accountability Act of 1995 (2 U.S.C.
2 1312(a)(2)(B)) is amended by striking “12 months
3 and for at least 1,250 hours of employment during
4 the previous 12 months” and inserting “at least 90
5 days”.

6 (2) TITLE 3, UNITED STATES CODE.—Section
7 412(a)(2)(B) of title 3, United States Code, is
8 amended by striking “12 months and for at least
9 1,250 hours of employment during the previous 12
10 months” and inserting “at least 90 days”.

11 (3) TITLE 5, UNITED STATES CODE.—Chapter
12 63 of title 5, United States Code, is amended—

13 (A) in section 6381(1)(B), by striking “at
14 least 12 months of service” and inserting “at
15 least 90 days of service”; and

16 (B) in section 6382(d)(2)(E), by striking
17 “at least 12 months of service” and inserting
18 “at least 90 days of service”.

19 (c) CONFORMING AMENDMENTS.—

20 (1) Section 101(2) of the Family and Medical
21 Leave Act of 1993 (29 U.S.C. 2611(2)) is amend-
22 ed—

23 (A) by striking subparagraphs (C) and
24 (D); and

1 (B) by redesignating subparagraph (E) as
2 subparagraph (C).

3 (2) Section 102(a) of such Act (29 U.S.C.
4 2612(a)) is amended by striking paragraph (5).

5 (d) EFFECTIVE DATE.—The amendments made by
6 subsections (a), (b), and (c) shall take effect beginning
7 on the date that is 1 year after the date of enactment
8 of this Act.

9 **TITLE II—ENSURING FAIR**
10 **TREATMENT FOR PART-TIME**
11 **AND TEMPORARY WORKERS**

12 **SEC. 201. DEFINITIONS.**

13 In this title:

14 (1) EMPLOY.—The term “employ” has the
15 meaning given the term in section 3(g) of the Fair
16 Labor Standards Act of 1938 (29 U.S.C. 203(g)).

17 (2) EMPLOYEE.—The term “employee” means
18 an individual who is—

19 (A) an employee, as defined in section 3(e)
20 of the Fair Labor Standards Act of 1938 (29
21 U.S.C. 203(e)), who is not covered under any of
22 subparagraphs (B) through (F), except that a
23 reference in such section to an employer shall
24 be considered to be a reference to a person in
25 commerce described in paragraph (3)(A);

1 (B) a State employee described in section
2 304(a) of the Government Employee Rights Act
3 of 1991 (42 U.S.C. 2000e-16c(a));

4 (C) a covered employee, as defined in sec-
5 tion 101 of the Congressional Accountability
6 Act of 1995 (2 U.S.C. 1301), except that such
7 term shall not include an applicant for employ-
8 ment;

9 (D) a covered employee, as defined in sec-
10 tion 411(c) of title 3, United States Code;

11 (E) a Federal officer or employee covered
12 under subchapter V of chapter 63 of title 5,
13 United States Code; or

14 (F) an employee of the Government Ac-
15 countability Office.

16 (3) EMPLOYER.—The term “employer”—

17 (A)(i) means any person in commerce
18 that—

19 (I) employs more than 15 employees
20 described in paragraph (2)(A), which shall
21 be calculated by including all employees de-
22 scribed in paragraph (2)(A) performing
23 work for compensation on a full-time, part-
24 time, or temporary basis, except that if the
25 number of such employees who perform

1 work for such a person for compensation
2 fluctuates, the number may be determined
3 for a calendar year based upon the average
4 number of such employees who performed
5 work for the person for compensation dur-
6 ing the preceding calendar year; or

7 (II) is part of an integrated enter-
8 prise, chain of businesses, group of fran-
9 chises associated with a franchisor, or net-
10 work of franchises that, in the aggregate,
11 employs more than 15 employees, cal-
12 culated in accordance with subclause (I);

13 (ii) includes—

14 (I) any person who acts, directly or
15 indirectly, in the interest of such an em-
16 ployer to any of the employees (described
17 in clause (i)) of such employer; and

18 (II) any successor in interest of such
19 an employer; and

20 (iii) includes an agency described in sub-
21 paragraph (A)(iii) of section 101(4) of the
22 Family and Medical Leave Act of 1993 (29
23 U.S.C. 2611(4)), to which subparagraph (B) of
24 such section shall apply;

1 (B) is an entity employing a State em-
2 ployee described in section 304(a) of the Gov-
3 ernment Employee Rights Act of 1991 (42
4 U.S.C. 2000e–16c(a));

5 (C) is an employing office, as defined in
6 section 101 of the Congressional Accountability
7 Act of 1995 (2 U.S.C. 1301);

8 (D) is an employing office, as defined in
9 section 411(c) of title 3, United States Code;

10 (E) is an employing agency covered under
11 subchapter V of chapter 63 of title 5, United
12 States Code; or

13 (F) is the Comptroller General of the
14 United States.

15 (4) PERSON.—The term “person”, except as
16 used with the term “person in commerce”, has the
17 meaning given the term in section 3(a) of the Fair
18 Labor Standards Act of 1938 (29 U.S.C. 203(a)).

19 (5) PERSON IN COMMERCE.—

20 (A) IN GENERAL.—The term “person in
21 commerce” means any person who is engaged
22 in commerce, in any industry or activity affect-
23 ing commerce, or in the production of goods for
24 commerce.

1 (B) COMMERCE.—In subparagraph (A),
2 the term “commerce” includes government.

3 (6) SECRETARY.—The term “Secretary” means
4 the Secretary of Labor.

5 **SEC. 202. ELIMINATION OF DISCRIMINATION ON THE BASIS**
6 **OF HOURS WORKED.**

7 (a) RULE.—

8 (1) IN GENERAL.—An employer shall not dis-
9 criminate against an employee on the basis that
10 such employee is scheduled to work fewer hours per
11 week, or is employed for a shorter expected duration,
12 than another employee of the employer if the jobs of
13 such employees require substantially equal skill, ef-
14 fort, responsibility, and duties and such jobs are per-
15 formed under similar working conditions.

16 (2) EXAMPLES.—Discrimination described in
17 paragraph (1) shall include differential treatment
18 with respect to—

19 (A) rate of compensation;

20 (B) notice of, and input into, work hours;

21 (C) eligibility to accrue, on a pro rata
22 basis, employer-provided paid and unpaid time
23 off and other benefits;

24 (D) promotion opportunities; or

1 (E) other terms, conditions, or privileges of
2 employment.

3 (b) **DISTINCTIONS PERMITTED.**—This section shall
4 not be construed to prohibit differences in rate of com-
5 pensation, or other conditions, terms, or privileges of em-
6 ployment, of employees of an employer for reasons other
7 than the number of hours the employees are scheduled to
8 work per week, or the expected duration of employment
9 of the employees, including for reasons such as—

10 (1) the date on which the employees are hired;

11 (2) a merit system; or

12 (3) a system that measures earnings by quan-
13 tity per hour or quality of production.

14 **SEC. 203. OFFER OF WORK TO EXISTING EMPLOYEES.**

15 (a) **WRITTEN STATEMENTS REQUIRED.**—Upon hir-
16 ing an employee, an employer shall—

17 (1) obtain a written statement of the employee’s
18 desired number of weekly work hours and the days
19 and times the employee is available to work;

20 (2) notify the employee that this written state-
21 ment may be modified in writing at any time during
22 employment; and

23 (3) specify the process to modify the written
24 statement.

1 (b) OFFER OF DESIRED WEEKLY WORK HOURS TO
2 EXISTING EMPLOYEES.—

3 (1) IN GENERAL.—Except as provided in para-
4 graph (2), an employer shall schedule an employee
5 to work the number of weekly hours identified by the
6 employee as desired weekly hours in a written state-
7 ment under subsection (a) prior to hiring any new
8 employee from an external applicant pool, including
9 hiring through the use of a temporary services or
10 staffing agency, or contracting with a contractor or
11 subcontractor, to work such hours.

12 (2) EXCEPTIONS.—An employer may hire an
13 individual as a new employee, or engage a contractor
14 or subcontractor, to perform work for the employer
15 if—

16 (A) the employer needs to fill hours for
17 which no existing employees who have provided
18 written statements under subsection (a) are
19 available based on such written statements;

20 (B) all existing employees who have pro-
21 vided written statements under subsection (a)
22 lack, and cannot obtain with reasonable train-
23 ing, the qualifications necessary to perform the
24 work; or

1 (C) scheduling any such employee to per-
2 form the work would require providing such em-
3 ployee overtime compensation at a rate not less
4 than one and one half times the regular rate at
5 which the employee is employed, in accordance
6 with section 7 of the Fair Labor Standards Act
7 of 1938 (29 U.S.C. 207) or any State law.

8 (c) COMPENSATION REQUIRED.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), an employee (referred to in this sub-
11 section as an “existing employee”) who is not sched-
12 uled for the desired number of total weekly work
13 hours identified by the employee in a written state-
14 ment under subsection (a) shall be compensated for
15 each hour worked by a newly hired employee, con-
16 tractor, or subcontractor hired after the existing em-
17 ployee so identified such number of hours, during an
18 hour that such existing employee identified in a writ-
19 ten statement under such subsection as an hour for
20 which the employee is available to work.

21 (2) EXCEPTION.—An employer shall not be re-
22 quired to compensate an existing employee under
23 paragraph (1) for any hour of work for which—

1 (A) the employee lacks, or cannot obtain
2 with reasonable training, the qualifications nec-
3 essary to perform the work;

4 (B) scheduling such employee to perform
5 the work would require providing the employee
6 overtime compensation as described in sub-
7 section (b)(2)(C);

8 (C) the employer made a reasonable at-
9 tempt to contact the employee to work such
10 hour and was unable to reach the employee; or

11 (D) the employee was otherwise no longer
12 available.

13 (d) DEFINITION.—For purposes of this section, the
14 terms “written”, with respect to a statement, and “writ-
15 ing” mean a printed or printable communication in phys-
16 ical or electronic form.

17 **SEC. 204. PROHIBITED ACTS.**

18 (a) INTERFERENCE WITH RIGHTS.—It shall be un-
19 lawful for any employer to interfere with, restrain, or deny
20 the exercise or the attempt to exercise, any rights set forth
21 under this title.

22 (b) RETALIATION PROHIBITED.—It shall be unlawful
23 for any employer to discharge, threaten to discharge, de-
24 mote, suspend, reduce work hours of, or otherwise dis-
25 criminate (including taking any other adverse employment

1 action) against any person because of an employee of the
2 employer exercising the rights of the employee under this
3 title or opposing any practice made unlawful by this title.

4 (c) INTERFERENCE WITH PROCEEDINGS OR INQUIR-
5 IES.—It shall be unlawful for any person to discharge or
6 in any other manner discriminate against an individual be-
7 cause such individual—

8 (1) has filed any charge, or has instituted or
9 caused to be instituted any proceeding, under or re-
10 lated to this title;

11 (2) has given, or is about to give, any informa-
12 tion in connection with any inquiry or proceeding re-
13 lating to any right provided under this title; or

14 (3) has testified, or is about to testify, in any
15 inquiry or proceeding relating to any right provided
16 under this title.

17 **SEC. 205. REMEDIES AND ENFORCEMENT.**

18 (a) INVESTIGATIVE AUTHORITY.—

19 (1) IN GENERAL.—To ensure compliance with
20 this title, including any regulation or order issued
21 under this title, the Secretary shall have, subject to
22 paragraph (3), the investigative authority provided
23 under section 11(a) of the Fair Labor Standards
24 Act of 1938 (29 U.S.C. 211(a)).

1 (2) OBLIGATION TO KEEP AND PRESERVE
2 RECORDS.—

3 (A) IN GENERAL.—Each employer shall
4 maintain for a period of not less than 3 years,
5 or for the duration of any claim (including the
6 duration of a related civil action or investiga-
7 tion) pending pursuant to this title, whichever
8 is longer, all records necessary to demonstrate
9 compliance with this title, including compliance
10 with the requirements of regulations issued by
11 the Secretary under section 206. Such records
12 shall include documentation of offers of hours
13 of work to employees and responses to such of-
14 fers.

15 (B) COPIES.—Each employer shall, upon a
16 reasonable request of an employee of the em-
17 ployer, provide the employee with a copy of the
18 records described in subparagraph (A) relating
19 to the employee.

20 (3) REQUIRED SUBMISSIONS GENERALLY LIM-
21 ITED TO AN ANNUAL BASIS.—The Secretary shall
22 not require, under the authority of this subsection,
23 any employer to submit to the Secretary any books
24 or records more than once during any 12-month pe-
25 riod, unless the Secretary has reasonable cause to

1 believe there may exist a violation of this title, in-
2 cluding any regulation or order issued pursuant to
3 this title, or is investigating a charge pursuant to
4 subsection (c).

5 (4) SUBPOENA POWERS.—For the purposes of
6 any investigation provided for in this subsection, the
7 Secretary shall have the subpoena authority provided
8 for under section 9 of the Fair Labor Standards Act
9 of 1938 (29 U.S.C. 209).

10 (b) CIVIL ACTION BY EMPLOYEES.—

11 (1) LIABILITY.—

12 (A) IN GENERAL.—Any employer who vio-
13 lates section 202, 203, or 204 (each such provi-
14 sion referred to in this section as a “covered
15 provision”) shall be liable to any person af-
16 fected for—

17 (i) damages equal to the amount of—

18 (I) any wages, salary, employ-
19 ment benefits (as defined in section
20 101 of the Family and Medical Leave
21 Act of 1993 (29 U.S.C. 2611)), or
22 other compensation denied, lost, or
23 owed to such employee by reason of
24 the violation; or

1 (II) in a case in which wages,
2 salary, employment benefits (as so de-
3 fined), or other compensation have
4 not been denied, lost, or owed to the
5 employee, any actual monetary losses
6 sustained by the employee as a direct
7 result of the violation;

8 (ii) interest on the amount described
9 in clause (i) calculated at the prevailing
10 rate;

11 (iii) except as provided in subpara-
12 graph (B), an additional amount as liq-
13 uidated damages equal to the sum of the
14 amount described in clause (i) and the in-
15 terest described in clause (ii); and

16 (iv) such equitable relief as may be
17 appropriate, including employment, rein-
18 statement, and promotion.

19 (B) EXCEPTION FOR LIQUIDATED DAM-
20 AGES.—If an employer who has violated a cov-
21 ered provision proves to the satisfaction of the
22 court that the act or omission which violated
23 the covered provision was in good faith and that
24 the employer had reasonable grounds for believ-
25 ing that the act or omission was not a violation

1 of a covered provision, such court may, in the
2 discretion of the court, reduce the amount of li-
3 ability under subparagraph (A) to the amount,
4 interest, and equitable relief determined under
5 clauses (i), (ii), and (iv), respectively.

6 (2) RIGHT OF ACTION.—An action to recover
7 the damages, interest, or equitable relief set forth in
8 paragraph (1) may be maintained against any em-
9 ployer (including a public agency) in any Federal or
10 State court of competent jurisdiction by any one or
11 more employees for and on behalf of—

12 (A) such employees; or

13 (B) such employees and any other employ-
14 ees similarly situated.

15 (3) FEES AND COSTS.—The court in such an
16 action shall, in addition to any judgment awarded to
17 the plaintiff, allow a reasonable attorney's fee, rea-
18 sonable expert witness fees, and other costs of the
19 action to be paid by the defendant.

20 (4) LIMITATIONS.—The right provided by para-
21 graph (2) to bring an action by or on behalf of any
22 employee shall terminate on the filing of a complaint
23 by the Secretary in an action under subsection (c)(4)
24 in which a recovery is sought of the damages, inter-
25 est, or equitable relief described in paragraph (1)(A)

1 owing to an employee by an employer liable under
2 paragraph (1) unless the action is dismissed without
3 prejudice on motion of the Secretary.

4 (c) ACTIONS BY THE SECRETARY.—

5 (1) ADMINISTRATIVE ACTION.—The Secretary
6 shall receive, investigate, and attempt to resolve
7 complaints of violations of this title in the same
8 manner that the Secretary receives, investigates, and
9 attempts to resolve complaints of violations of sec-
10 tions 6 and 7 of the Fair Labor Standards Act of
11 1938 (29 U.S.C. 206 and 207), and may issue an
12 order making determinations, and assessing a civil
13 penalty described in paragraph (3) (in accordance
14 with such paragraph), with respect to such an al-
15 leged violation.

16 (2) ADMINISTRATIVE REVIEW.—An affected
17 person who takes exception to an order issued under
18 paragraph (1) may request review of and a decision
19 regarding such an order by an administrative law
20 judge. In reviewing the order, the administrative law
21 judge may hold an administrative hearing con-
22 cerning the order, in accordance with the require-
23 ments of sections 554, 556, and 557 of title 5,
24 United States Code. Such hearing shall be conducted
25 expeditiously.

1 (3) CIVIL PENALTY.—

2 (A) IN GENERAL.—An employer who will-
3 fully and repeatedly violates—

4 (i) section 204(a) shall be subject to
5 a civil penalty in an amount to be deter-
6 mined by the Secretary, but not to be less
7 than \$500, or more than \$1,000, per viola-
8 tion (subject to subparagraph (B)); or

9 (ii) subsection (b) or (c) of section
10 204 shall be subject to a civil penalty in an
11 amount to be determined by the Secretary,
12 but not to be less than \$1,100, or more
13 than \$5,000, per violation (subject to sub-
14 paragraph (B)).

15 (B) INFLATION.—The Secretary shall, for
16 each year beginning with calendar year 2024,
17 increase the minimum and maximum amounts
18 for the penalties described in clauses (i) and (ii)
19 of subparagraph (A) by a percentage equal to
20 the percentage increase in the Consumer Price
21 Index for All Urban Consumers, published by
22 the Department of Labor, between December
23 2023 and the December prior to the year for
24 which the increase takes effect.

1 (C) WILLFUL VIOLATION.—For purposes
2 of this section, an employer willfully violates a
3 provision of section 204 when, after taking into
4 account all of the facts and circumstances sur-
5 rounding the violation, it is determined that the
6 employer—

7 (i) knew that its conduct was prohib-
8 ited by such section; or

9 (ii) showed reckless disregard for the
10 requirements of such section.

11 (4) CIVIL ACTION.—

12 (A) IN GENERAL.—The Secretary may
13 bring an action in any court of competent juris-
14 diction on behalf of aggrieved employees to—

15 (i) restrain violations of this title;

16 (ii) obtain such equitable relief as may
17 be appropriate, including employment, re-
18 instatement, and promotion; and

19 (iii) in the case of a violation of a cov-
20 ered provision, recover the damages, inter-
21 est, and equitable relief described in
22 clauses (i) through (iv) of subsection
23 (b)(1)(A).

24 (B) RECOVERY ON BEHALF OF EMPLOY-
25 EES.—Any sums recovered by the Secretary

1 under subparagraph (A) on behalf of an em-
2 ployee shall be held in a special deposit account
3 and shall be paid, on order of the Secretary, di-
4 rectly to the employee affected. Any such sums
5 not paid to an employee because of inability to
6 do so within a period of 3 years shall be depos-
7 ited in the Treasury and credited to miscella-
8 neous receipts.

9 (d) LIMITATION.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), an action may be brought under this sec-
12 tion not later than 2 years after the date of the last
13 event constituting the alleged violation for which the
14 action is brought.

15 (2) WILLFUL VIOLATION.—In the case of such
16 action brought for a willful violation of section 204
17 (as described in subsection (c)(3)), such action may
18 be brought within 3 years of the date of the last
19 event constituting the alleged violation for which
20 such action is brought.

21 (3) COMMENCEMENT.—In determining when an
22 action is commenced by the Secretary or by an em-
23 ployee under this section for the purposes of this
24 subsection, it shall be considered to be commenced
25 on the date when the complaint is filed.

1 (e) OTHER ADMINISTRATIVE OFFICERS.—

2 (1) EMPLOYEES COVERED BY CONGRESSIONAL
3 ACCOUNTABILITY ACT OF 1995.—The powers and
4 procedures provided in the Congressional Account-
5 ability Act of 1995 (2 U.S.C. 1301 et seq.) to the
6 Board (as defined in section 101 of that Act (2
7 U.S.C. 1301)), or any person, alleging a violation of
8 section 202(a)(1) of that Act (2 U.S.C. 1312(a)(1))
9 shall be the powers and procedures this title provides
10 to that Board, or any person, alleging a violation of
11 this title against an employee described in section
12 201(2)(C).

13 (2) EMPLOYEES COVERED BY CHAPTER 5 OF
14 TITLE 3, UNITED STATES CODE.—The powers and
15 procedures provided in chapter 5 of title 3, United
16 States Code, to the President, the Merit Systems
17 Protection Board, or any person, alleging a violation
18 of section 412(a)(1) of that title, shall be the powers
19 and procedures this title provides to the President,
20 that Board, or any person, respectively, alleging a
21 violation of this title against an employee described
22 in section 201(2)(D).

23 (3) EMPLOYEES COVERED BY CHAPTER 63 OF
24 TITLE 5, UNITED STATES CODE.—The powers and
25 procedures provided in title 5, United States Code,

1 to an employing agency, provided in chapter 12 of
2 that title to the Merit Systems Protection Board, or
3 provided in that title to any person, alleging a viola-
4 tion of chapter 63 of that title, shall be the powers
5 and procedures this title provides to that agency,
6 that Board, or any person, respectively, alleging a
7 violation of this title against an employee described
8 in section 201(2)(E).

9 (4) COMPTROLLER GENERAL.—In the case of
10 employees of the Government Accountability Office,
11 the authority of the Secretary under this title shall
12 be exercised by the Comptroller General of the
13 United States.

14 **SEC. 206. REGULATIONS.**

15 (a) SECRETARY OF LABOR.—Except as provided in
16 subsections (b) through (e), not later than 180 days after
17 the date of enactment of this Act, the Secretary shall issue
18 such regulations as may be necessary to implement this
19 title.

20 (b) BOARD.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of enactment of this Act, the Board
23 of Directors of the Office of Congressional Work-
24 place Rights shall issue such regulations as may be
25 necessary to implement this title with respect to em-

1 employees described in section 201(2)(C). The proce-
2 dures applicable to regulations of the Board issued
3 for the implementation of the Congressional Ac-
4 countability Act of 1995 (2 U.S.C. 1301 et seq.),
5 prescribed in section 304 of that Act (2 U.S.C.
6 1384), shall be the procedures applicable to regula-
7 tions issued under this subsection.

8 (2) CONSIDERATION.—In prescribing the regu-
9 lations, the Board shall take into consideration the
10 enforcement and remedies provisions concerning the
11 Office and applicable to rights and protections under
12 the Family and Medical Leave Act of 1993 (29
13 U.S.C. 2601 et seq.), under the Congressional Ac-
14 countability Act of 1995 (2 U.S.C. 1301 et seq.).

15 (3) MODIFICATIONS.—The regulations issued
16 under paragraph (1) to implement this title shall be
17 the same as substantive regulations issued by the
18 Secretary to implement this title, except to the ex-
19 tent that the Board may determine, for good cause
20 shown and stated together with the regulations
21 issued by the Board, that a modification of such
22 substantive regulations would be more effective for
23 the implementation of the rights and protections
24 under this title.

25 (c) PRESIDENT.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of enactment of this Act, the Presi-
3 dent shall issue such regulations as may be nec-
4 essary to implement this title with respect to em-
5 ployees described in section 201(2)(D).

6 (2) CONSIDERATION.—In prescribing the regu-
7 lations, the President shall take into consideration
8 the enforcement and remedies provisions concerning
9 the President and the Merit Systems Protection
10 Board, and applicable to rights and protections
11 under the Family and Medical Leave Act of 1993,
12 under chapter 5 of title 3, United States Code.

13 (3) MODIFICATIONS.—The regulations issued
14 under paragraph (1) to implement this title shall be
15 the same as substantive regulations issued by the
16 Secretary to implement this title, except to the ex-
17 tent that the President may determine, for good
18 cause shown and stated together with the regula-
19 tions issued by the President, that a modification of
20 such substantive regulations would be more effective
21 for the implementation of the rights and protections
22 under this title.

23 (d) OFFICE OF PERSONNEL MANAGEMENT.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of enactment of this Act, the Office

1 of Personnel Management shall issue such regula-
2 tions as may be necessary to implement this title
3 with respect to employees described in section
4 201(2)(E).

5 (2) CONSIDERATION.—In prescribing the regu-
6 lations, the Office shall take into consideration the
7 enforcement and remedies provisions concerning an
8 employing agency and the Merit Systems Protection
9 Board under subchapter V of chapter 63 of title 5,
10 United States Code.

11 (3) MODIFICATIONS.—The regulations issued
12 under paragraph (1) to implement this title shall be
13 the same as substantive regulations issued by the
14 Secretary to implement this title, except to the ex-
15 tent that the Office may determine, for good cause
16 shown and stated together with the regulations
17 issued by the Office, that a modification of such sub-
18 stantive regulations would be more effective for the
19 implementation of the rights and protections under
20 this title.

21 (e) COMPTROLLER GENERAL.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of enactment of this Act, the Comp-
24 troller General of the United States shall issue such
25 regulations as may be necessary to implement this

1 title with respect to employees of the Government
2 Accountability Office.

3 (2) CONSIDERATION.—In prescribing the regu-
4 lations, the Comptroller General shall take into con-
5 sideration the enforcement and remedies provisions
6 concerning the Comptroller General under title I of
7 the Family and Medical Leave Act of 1993 (29
8 U.S.C. 2611 et seq.).

9 (3) MODIFICATIONS.—The regulations issued
10 under paragraph (1) to implement this title shall be
11 the same as substantive regulations issued by the
12 Secretary to implement this title, except to the ex-
13 tent that the Comptroller General may determine,
14 for good cause shown and stated together with the
15 regulations issued by the Comptroller General, that
16 a modification of such substantive regulations would
17 be more effective for the implementation of the
18 rights and protections under this title.

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