

112TH CONGRESS  
1ST SESSION

# S. 90

To establish the Military Family-Friendly Employer Award for employers that have developed and implemented workplace flexibility policies to assist the working spouses and caregivers of service members, and returning service members, in addressing family and home needs during deployments.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. CRAPO (for himself and Ms. KLOBUCHAR) introduced the following bill;  
which was read twice and referred to the Committee on Armed Services

---

## A BILL

To establish the Military Family-Friendly Employer Award for employers that have developed and implemented workplace flexibility policies to assist the working spouses and caregivers of service members, and returning service members, in addressing family and home needs during deployments.

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 “Military Family-  
5 Friendly Employer Award Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) EMPLOYER.—The term “employer”—

4 (A) means any person (as defined in sec-  
5 tion 3(a) of the Fair Labor Standards Act of  
6 1938 (29 U.S.C. 202(a))) engaged in commerce  
7 or in any industry or activity affecting com-  
8 merce; and

9 (B) includes any agency of a State, or po-  
10 litical subdivision thereof.

11 The term does not include the Government of the  
12 United States or any agency thereof.

13 (2) SECRETARY.—The term “Secretary” means  
14 the Secretary of Defense.

15 **SEC. 3. ESTABLISHMENT OF MILITARY FAMILY-FRIENDLY**  
16 **EMPLOYER AWARD.**

17 (a) IN GENERAL.—There is established in the De-  
18 partment of Defense an annual award to be known as the  
19 Military Family-Friendly Employer Award (hereafter re-  
20 ferred to in this Act as the “Award”) for employers that  
21 have developed and implemented workplace flexibility poli-  
22 cies and practices—

23 (1) to assist the working spouses and caregivers  
24 of members of the Armed Forces who are deployed  
25 away from home, and to assist such members upon  
26 their return from deployment, so that the needs of

1 the home may be addressed during and after such  
2 deployments; and

3 (2) that reflect a deep awareness and commit-  
4 ment in response to the needs of the military family  
5 unit.

6 (b) PLAQUE.—The Award shall be evidenced by a  
7 plaque bearing the title “Military Family-Friendly Em-  
8 ployer Award”.

9 (c) APPLICATION.—

10 (1) IN GENERAL.—An employer desiring consid-  
11 eration for an Award shall submit an application to  
12 the Secretary at such time, in such manner, and  
13 containing such information as such Secretary may  
14 require.

15 (2) REAPPLICATION.—An employer may re-  
16 apply for an Award, regardless of whether the em-  
17 ployer has been a previous recipient of such Award.

18 (d) DISPLAY ON WEB SITE.—The Secretary shall  
19 make publically available on its Internet Web site the  
20 names of each recipient of the Award.

21 (e) PRESENTATION OF AWARD.—The Secretary (or  
22 the Secretary’s designee) shall present annually the Award  
23 to employers under this section.

1 **SEC. 4. MILITARY FAMILY-FRIENDLY SPECIAL TASK FORCE.**

2 (a) ESTABLISHMENT.—There is established within  
3 the Department of Defense a Military Family-Friendly  
4 Special Task Force (hereafter referred to in this Act as  
5 the “Task Force”).

6 (b) COMPOSITION.—

7 (1) IN GENERAL.—The Task Force shall be  
8 composed of 9 members to be appointed as follows:

9 (A) The Secretary shall appoint one indi-  
10 vidual to serve as the chairperson of the Task  
11 Force.

12 (B) The Secretary, in consultation with the  
13 Secretary of Labor and based on recommenda-  
14 tions made by the majority and minority leaders  
15 of the Senate and the Speaker and minority  
16 leader of the House of Representatives, shall  
17 appoint—

18 (i) two members who shall be work-  
19 life experts; and

20 (ii) two members who shall be rep-  
21 resentatives of the general business com-  
22 munity.

23 (C) The Secretary, based on recommenda-  
24 tions made by the majority and minority leaders  
25 of the Senate and the Speaker and minority

1 leader of the House of Representatives, shall  
2 appoint—

3 (i) two members who shall be experts  
4 on the Armed Forces; and

5 (ii) two members who shall be rep-  
6 resentatives of families with one or more  
7 members serving in the Armed Forces.

8 (2) QUALIFICATIONS.—In appointing members  
9 of the Task Force the Secretary shall ensure—

10 (A) that such members are individuals  
11 with knowledge and experience in workplace  
12 flexibility policies as such policies relate to serv-  
13 ices in and support for the Armed Forces;

14 (B) that not more than 2 members ap-  
15 pointed under paragraph (1)(B) are from the  
16 same political party; and

17 (C) that not more than 2 members ap-  
18 pointed under paragraph (1)(C) are from the  
19 same political party.

20 (3) TERMS.—

21 (A) IN GENERAL.—Except as provided  
22 under subparagraphs (B) and (C), each mem-  
23 ber of the Task Force shall be appointed for 2  
24 years and may be reappointed.

1           (B) TERMS OF INITIAL APPOINTEES.—As  
2 designated by the Secretary at the time of ap-  
3 pointment, of the members of the Task Force  
4 first appointed, 4 shall each be appointed for a  
5 1-year term and the remainder shall each be  
6 appointed for a 2-year term.

7           (C) VACANCIES.—Any member of the Task  
8 Force appointed to fill a vacancy occurring be-  
9 fore the expiration of the term for which the  
10 member's predecessor was appointed shall be  
11 appointed only for the remainder of that term.  
12 A member may serve after the expiration of  
13 that member's term until a successor has taken  
14 office.

15           (4) LIMITATION.—The Secretary may not ap-  
16 point any Member of Congress to the Task Force.

17           (c) DUTIES.—The Task Force shall—

18           (1) develop and review military-centered ques-  
19 tions for integration into the award model for deter-  
20 mining which applicant employers should receive an  
21 Award;

22           (2) determine how such questions should be  
23 weighed in making Award determinations what  
24 threshold should be used as the minimum for mak-  
25 ing such Awards;

1           (3) review responses to a sample of such ques-  
2           tions posed as part of any questionnaire used for  
3           purposes of making such Awards;

4           (4) consider private sector award models such  
5           as the Malcolm Baldrige National Quality Award or  
6           the Alfred P. Sloan Award for Business Excellence  
7           in Workplace Flexibility;

8           (5) determine criteria for the delivery of the  
9           Award; and

10          (6) carry out any other activities determined  
11          appropriate by the Secretary.

12          (d) OPERATIONS.—

13           (1) MEETINGS.—

14           (A) IN GENERAL.—Except for the initial  
15           meeting of the Task Force under subparagraph  
16           (B), the Task Force shall meet at the call of  
17           the chairperson or a majority of its members.

18           (B) INITIAL MEETING.—The Task Force  
19           shall conduct its first meeting not later than 90  
20           days after the appointment of all of its mem-  
21           bers.

22           (2) VOTING AND RULES.—A majority of mem-  
23           bers of the Task Force shall constitute a quorum to  
24           conduct business. The Task Force may establish by  
25           majority vote any other rules for the conduct of the

1 business of the Task Force, if such rules are not in-  
2 consistent with this section or other applicable law.

3 (3) COMPENSATION AND TRAVEL.—All mem-  
4 bers of the Task Force shall be compensated at a  
5 rate equal to the daily equivalent of the annual rate  
6 of basic pay prescribed for level IV of the Executive  
7 Schedule under section 5315 of title 5, United  
8 States Code, for each day (including travel time)  
9 during which such member is engaged in the per-  
10 formance of duties of the Task Force. The members  
11 of the Task Force shall be allowed travel expenses,  
12 including per diem in lieu of subsistence, at rates  
13 authorized for employees of agencies under sub-  
14 chapter 1 of chapter 57 of title 5, United States  
15 Code, while away from their homes or regular places  
16 of business in the performance of services for the  
17 Task Force.

18 **SEC. 5. REGULATIONS.**

19 The Secretary may prescribe regulations to carry out  
20 the purposes of this Act.

○