

103^D CONGRESS
1ST SESSION

H. R. 165

To apply laws relating to part-time career employees, fair labor standards,
and occupational safety and health to the Congress.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. DUNCAN introduced the following bill; which was referred jointly to the
Committees on House Administration, Education and Labor, and Post
Office and Civil Service

A BILL

To apply laws relating to part-time career employees, fair
labor standards, and occupational safety and health to
the Congress.

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 “Congressional Reform
5 and Compliance Act of 1992”.

6 **SEC. 2. APPLICATION OF LAWS RELATING TO PART-TIME**
7 **CAREER EMPLOYEES.**

8 Notwithstanding any other provision of law, sections
9 3401 through 3408 of title 5, United States Code, shall

1 apply to the House of Representatives, the Senate, and
2 the Instrumentalities of the Congress in the same manner
3 and to the same extent as they apply to agencies.

4 **SEC. 3. APPLICATION OF LAWS RELATING TO LABOR**
5 **STANDARDS AND OCCUPATIONAL SAFETY**
6 **AND HEALTH.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, the provisions of the Fair Labor Standards
9 Act of 1938 (29 U.S.C. 201 et seq.) and the Occupational
10 Safety and Health Act of 1970 (29 U.S.C. 651 et seq.)
11 shall, to the extent that they relate to the terms and condi-
12 tions of employment (including hiring, promotion or demo-
13 tion, salary, benefits, work assignments or reassignments,
14 overtime, and termination), occupational safety and
15 health, and the rights and responsibilities of employers
16 and employees, apply with respect to the Senate, House
17 of Representatives, and Instrumentalities of the Congress
18 in the same manner and to the same extent as they apply
19 with respect to a private person.

20 (b) RIGHT OF APPEAL.—If an individual referred to
21 in section 4 is aggrieved by a violation of the laws referred
22 to in subsection (a), such individual may, after exhausting
23 any procedures established pursuant to rules or regula-
24 tions promulgated under section 5, seek redress in a Fed-
25 eral district court of competent jurisdiction and shall have

1 the same rights and remedies provided to private persons
2 under the laws referred to in subsection (a).

3 **SEC. 4. INDIVIDUALS COVERED BY ACT.**

4 This Act shall apply to the following individuals:

5 (1) A Senator or Representative in, or Resident
6 Commissioner or Delegate to, the Congress, for pur-
7 poses of section 3.

8 (2) An employee or officer of either House of
9 Congress, of a committee of either House, or a joint
10 committee of the two Houses.

11 (3) An employee of a Member if the pay of the
12 employee is paid by the Secretary of the Senate or
13 the Clerk of the House of Representatives.

14 (4) An employee of an Instrumentality of the
15 Congress.

16 **SEC. 5. REGULATIONS.**

17 (a) THE CONGRESS.—Not later than the 120-day pe-
18 riod beginning on the date of enactment of this Act, the
19 House of Representatives and the Senate shall each pro-
20 mulgate rules and regulations to carry out this Act as it
21 applies to the respective Houses. Such rules and regula-
22 tions shall be consistent with Federal law. If a House of
23 Congress fails to promulgate such rules and regulations
24 within such time period—

1 (1) in the case of a failure to promulgate rules
2 and regulations to apply the Fair Labor Standards
3 Act of 1939 (29 U.S.C. 201 et seq.), the rules and
4 regulations promulgated by the Secretary of Labor
5 pertaining to such Act shall apply to such House;

6 (2) in the case of a failure to promulgate rules
7 and regulations to apply the Occupational Safety
8 and Health Act of 1970 (29 U.S.C. 651 et seq.), the
9 rules and regulations promulgated by the Secretary
10 of Labor pertaining to such Act shall apply to such
11 House; and

12 (3) in the case of a failure to promulgate rules
13 and regulations to apply sections 3401 through 3408
14 of title 5, United States Code, the Secretary of
15 Labor shall promulgate rules and regulations to
16 make such sections applicable to such House.

17 (b) INSTRUMENTALITIES OF THE CONGRESS.—Not
18 later than the 120-day period beginning on the date of
19 enactment of this Act, the head of each Instrumentality
20 of the Congress shall promulgate rules and regulations to
21 carry out this Act as it applies to such Instrumentality
22 of the Congress. Such rules and regulations shall be con-
23 sistent with Federal law. If an Instrumentality of the Con-
24 gress fails to promulgate such rules and regulations within
25 such time period—

1 (1) in the case of a failure to promulgate rules
2 and regulations to apply the Fair Labor Standards
3 Act of 1939 (29 U.S.C. 201 et seq.), the rules and
4 regulations promulgated by the Secretary of Labor
5 pertaining to such Act shall apply to such Instru-
6 mentality of the Congress;

7 (2) in the case of a failure to promulgate rules
8 and regulations to apply the Occupational Safety
9 and Health Act of 1970 (29 U.S.C. 651 et seq.), the
10 rules and regulations promulgated by the Secretary
11 of Labor pertaining to such Act shall apply to such
12 Instrumentality of the Congress; and

13 (3) in the case of a failure to promulgate rules
14 and regulations to apply sections 3401 through 3408
15 of title 5, United States Code, the Secretary of
16 Labor shall promulgate rules and regulations to
17 make such sections applicable to such Instrumental-
18 ity of the Congress.

19 **SEC. 6. DEFINITIONS.**

20 For purposes of this Act, the term “Instrumentality
21 of the Congress” means the Congressional Research Serv-
22 ice, the Office of Technology Assessment, the General Ac-
23 counting Office, the Government Printing Office, the Con-
24 gressional Budget Office, the Copyright Royalty Tribunal,
25 and, for purposes of section 3, the term “Instrumentality

- 1 of the Congress'' also includes the Library of Congress,
- 2 the Botanic Garden, and the Architect of the Capitol.

®