

103^D CONGRESS
2^D SESSION

H. R. 5187

To amend section 7(m) of the Fair Labor Standards Act of 1938 to eliminate the partial overtime exemption for employees that perform services necessary and incidental to the sale and processing of green and cigar leaf tobacco.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 1994

Mr. KILDEE introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend section 7(m) of the Fair Labor Standards Act of 1938 to eliminate the partial overtime exemption for employees that perform services necessary and incidental to the sale and processing of green and cigar leaf tobacco.

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 “Tobacco Workers Eq-
5 uity Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) there are no reasons why employees en-
2 gaged in the handling and processing of green leaf
3 and cigar leaf tobacco should be excluded from the
4 full protections of the overtime provisions of the
5 Fair Labor Standards Act of 1938; and

6 (2) the special retention of the partial overtime
7 exemption for employees that perform services nec-
8 essary and incidental to the sale and processing of
9 green and cigar leaf tobacco can no longer be justi-
10 fied by reasons of public policy or any other consid-
11 eration.

12 **SEC. 3. AMENDMENT.**

13 Section 7(m) of the Fair Labor Standards Act of
14 1938 (2 U.S.C. 207(m)) is repealed.

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