

103^D CONGRESS
2^D SESSION

S. 2565

To amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30 (legislative day, SEPTEMBER 12), 1994

Mr. PRESSLER introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, 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 “Court Reporter Fair
5 Labor Standards Act of 1994”.

1 **SEC. 2. LIMITATION ON COMPENSATORY TIME FOR COURT**
2 **REPORTERS.**

3 Section 7(o) of the Fair Labor Standards Act of 1938
4 (29 U.S.C. 207(o)) is amended—

5 (1) by redesignating paragraph (6) as para-
6 graph (7); and

7 (2) by inserting after paragraph (5) the follow-
8 ing new paragraph:

9 “(6) A public agency may not be considered to be
10 in violation of subsection (a) with respect to an employee
11 who performs court reporting transcript preparation du-
12 ties if such public agency and such employee have an un-
13 derstanding that the time spent performing such duties
14 outside of normal working hours or regular working days
15 is not considered as hours worked for the purposes of sub-
16 section (a).”.

17 **SEC. 3. EFFECTIVE DATE OF AMENDMENTS.**

18 The amendments made by section 2 shall take effect
19 as if included in the provisions of the Fair Labor Stand-
20 ards Act of 1938 to which such amendments relate, except
21 that such amendments shall not apply to an action—

22 (1) that was brought in a court involving the
23 application of section 7(a) of such Act to an em-
24 ployee who performed court reporting transcript
25 preparation duties; and

- 1 (2) in which a final judgment has been entered
- 2 on or before the date of enactment of this Act.

