

105TH CONGRESS
1ST SESSION

S. 1453

To establish a Commission on Fairness in the Workplace, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 1997

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

A BILL

To establish a Commission on Fairness in the Workplace,
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 “National Commission
5 on Fairness in the Workplace Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) there is an increasing trend toward the use
9 of part-time workers;

1 (2) part-time jobs often have no or limited
2 health or pension benefits and few labor protections;

3 (3) there is a trend toward the creation of more
4 part-time jobs than full-time jobs;

5 (4) questions have been raised regarding the
6 impact of part-time employment on wage levels, ben-
7 efits, earning potential, and productivity; and

8 (5) a Federal commission should be established
9 to conduct a thorough study of all matters relating
10 to the impact of part-time employment on wage lev-
11 els, benefits, earning potential, and productivity and
12 to study the practice of providing different wage and
13 benefit levels to part-time and full-time workers.

14 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

15 (a) ESTABLISHMENT.—There is established a com-
16 mission to be known as the National Commission on Fair-
17 ness in the Workplace (hereafter referred to in this Act
18 as the “Commission”).

19 (b) MEMBERSHIP.—The Commission shall be com-
20 posed of 9 members of whom—

21 (1) 3 shall be appointed by the President;

22 (2) 3 shall be appointed by the President pro
23 tempore of the Senate, upon the recommendation of
24 the Majority and Minority Leaders of the Senate;
25 and

1 (3) 3 shall be appointed by the Speaker of the
2 House of Representatives, in consultation with the
3 Minority Leader of the House of Representatives.

4 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
5 bers shall be appointed for the life of the Commission. Any
6 vacancy in the Commission shall not affect its powers, but
7 shall be filled in the same manner as the original appoint-
8 ment.

9 (d) INITIAL MEETING.—Not later than 30 days after
10 the date on which all members of the Commission have
11 been appointed, the Commission shall hold its first meet-
12 ing as directed by the President.

13 (e) MEETINGS.—After the initial meeting, the Com-
14 mission shall meet at the call of the Chairperson.

15 (f) QUORUM.—A majority of the members of the
16 Commission shall constitute a quorum for the transaction
17 of business, but a lesser number of members may hold
18 hearings.

19 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The
20 Commission shall select a Chairperson and Vice Chair-
21 person from among its members.

22 **SEC. 4. DUTIES OF THE COMMISSION.**

23 (a) STUDY.—

1 (1) IN GENERAL.—The Commission shall con-
2 duct a comprehensive study of the impact of part-
3 time employment in the United States.

4 (2) MATTERS TO BE STUDIED.—The matters to
5 be studied by the Commission under paragraph (1)
6 shall include—

7 (A) a review of the trend toward creation
8 of more part-time than full-time jobs;

9 (B) an assessment of the relationship be-
10 tween part-time work and wage levels, benefits,
11 earning potential, and productivity; and

12 (C) a review of the practice of providing
13 different wage and benefit levels to part-time
14 and full-time workers.

15 (b) REPORT.—No later than 12 months after the
16 Commission holds its first meeting, the Commission shall
17 submit a report on the study to the President and Con-
18 gress. The report shall contain a detailed statement of the
19 findings and conclusions of the Commission, together with
20 its recommendations for such legislation and administra-
21 tive actions as it considers appropriate.

22 **SEC. 5. POWERS OF THE COMMISSION.**

23 (a) HEARINGS.—The Commission may hold such
24 hearings, sit and act at such times and places, take such

1 testimony, and receive such evidence as the Commission
2 considers advisable to carry out its duties of this Act.

3 (b) INFORMATION FROM FEDERAL AGENCIES.—The
4 Commission may secure directly from any Federal depart-
5 ment or agency such information as the Commission con-
6 sidered necessary to carry out the provisions of this Act.
7 Upon request of the Chairperson of the Committee, the
8 head of such department or agency shall furnish such in-
9 formation to the Commission.

10 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

11 (a) COMPENSATION OF MEMBERS.—Each member of
12 the Commission who is not otherwise an officer or em-
13 ployee of the Federal Government shall be compensated
14 at a rate equal to the daily equivalent of the annual rate
15 of basic pay prescribed for a position at level IV of the
16 Executive Schedule under section 5315 of title 5, United
17 States Code, for each day (including travel time) during
18 which such member is engaged in the performance of the
19 duties of the Commission. Each member of the Commis-
20 sion who is otherwise an officer or employee of the United
21 States shall serve without compensation in addition to that
22 received for services as an officer or employee of the Unit-
23 ed States.

24 (b) TRAVEL EXPENSES.—The members of the Com-
25 mission shall be allowed travel expenses, including per

1 diem in lieu of subsistence, at rates authorized for employ-
2 ees of agencies under subchapter I of chapter 57 of title
3 5, United States Code, while away from their homes or
4 regular places of business in the performance of service
5 for the Commission.

6 (c) STAFF.—

7 (1) IN GENERAL.—The Chairperson of the
8 Commission may, without regard to the civil service
9 laws and regulations, appoint and terminate an execu-
10 tive director and such other additional personnel as
11 may be necessary to enable the Commission to per-
12 form its duties. The employment and termination of
13 an executive director shall be subject to confirmation
14 by a majority of the members of the Commission.

15 (2) COMPENSATION.—The executive director
16 shall be compensated at a rate not to exceed the rate
17 payable for a position at level V of the Executive
18 Schedule under section 5316 of title 5, United
19 States Code. The Chairperson may fix the com-
20 pensation of other personnel without regard to the
21 provisions of chapter 51 and subchapter III of chap-
22 ter 53 of title 5, United States Code, relating to
23 classification of positions and General Schedule pay
24 rates, except that the rate of pay for such personnel
25 may not exceed the rate payable for a position at

1 level V of the Executive Schedule under section 5316
2 of such title.

3 (3) **DETAIL OF GOVERNMENT EMPLOYEES.**—

4 Any Federal Government employee, with the ap-
5 proval of the head of the appropriate Federal agen-
6 cy, may be detailed to the Commission without reim-
7 bursement, and such detail shall be without inter-
8 ruption or loss of civil service status, benefits, or
9 privilege.

10 (d) **PROCUREMENT OF TEMPORARY AND INTERMIT-**

11 **TENT SERVICES.**—The Chairperson of the Commission
12 may procure temporary and intermittent services under
13 section 3109(b) of title 5, United States Code, at rates
14 for individuals not to exceed the daily equivalent of the
15 annual rate of basic pay prescribed for a position at level
16 V of the Executive Schedule under section 5316 of such
17 title.

18 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to the Com-
20 mission such sums as may be necessary to carry out the
21 purposes of this Act. Any sums appropriated shall remain
22 available, without fiscal year limitation, until expended.

1 **SEC. 8. TERMINATION.**

2 The Commission shall terminate 30 days after sub-
3 mission of its report under section 4(b).

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