

§ 60k. Application of rights and protections of Fair Labor Standards Act of 1938 to Congressional and Architect of Capitol employees

(a) House employees

(1) In general

Not later than 180 days after the date the minimum wage rate prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is increased pursuant to the amendment made by section 2, the rights and protections under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) shall apply with respect to any employee in an employment position in the House of Representatives and to any employing authority of the House of Representatives.

(2) Administration

In the administration of this subsection, the remedies and procedures under the Fair Employment Practices Resolution shall be applied. As used in this paragraph, the term “Fair Employment Practices Resolution” means House Resolution 558, One Hundredth Congress, agreed to October 4, 1988, as continued in effect by House Resolution 15, One Hundred First Congress, agreed to January 3, 1989.

(b) Architect of Capitol employees

Not later than 180 days after the date the minimum wage rate prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is increased pursuant to the amendment made by section 2, the rights and protections under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) shall apply with respect to individuals employed under the Office of the Architect of the Capitol.

(Pub. L. 101–157, § 8, Nov. 17, 1989, 103 Stat. 944.)

REFERENCES IN TEXT

Section 2, referred to in text, is section 2 of Pub. L. 101–157, Nov. 17, 1989, 103 Stat. 938, which amended section 206(a)(1) of Title 29, Labor, to increase the minimum wage.

The Fair Labor Standards Act of 1938, referred to in text, is act June 25, 1938, ch. 676, 52 Stat. 1060, as amended, which is classified generally to chapter 8 (§201 et seq.) of Title 29. For complete classification of this Act to the Code, see section 201 of Title 29 and Tables.

House Resolution 558, referred to in subsec. (a)(2), was made applicable during the One Hundred Second Congress by Rule LI of the Rules of the House of Representatives of the One Hundred Second Congress. For the One Hundred Third Congress and One Hundred Fourth Congress, Rule LI was amended generally and, as so amended, contained provisions relating to fair employment practices. Rule LI was repealed by H. Res. No. 5, §23(a), One Hundred Fifth Congress, Jan. 7, 1997. See section 1301 et seq. of this title.

§ 60l. Coverage of House and agencies of legislative branch

(a) Coverage of House

(1) In general

Notwithstanding any provision of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or of other law, the purposes of such title shall, subject to paragraph (2), apply in their entirety to the House of Representatives.

(2) Employment in House

(A) Application

The rights and protections under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall, subject to subparagraph (B), apply with respect to any employee in an employment position in the House of Representatives and any employing authority of the House of Representatives.

(B) Administration

(i) In general

In the administration of this paragraph, the remedies and procedures made applicable pursuant to the resolution described in clause (ii) shall apply exclusively.

(ii) Resolution

The resolution referred to in clause (i) is the Fair Employment Practices Resolution (House Resolution 558 of the One Hundredth Congress, as agreed to October 4, 1988), as incorporated into the Rules of the House of Representatives of the One Hundred Second Congress as Rule LI,¹ or any other provision that continues in effect the provisions of such resolution.

(C) Exercise of rulemaking power

The provisions of subparagraph (B) are enacted by the House of Representatives as an exercise of the rulemaking power of the House of Representatives, with full recognition of the right of the House to change its rules, in the same manner, and to the same extent as in the case of any other rule of the House.

(b) Instrumentalities of Congress

(1) In general

The rights and protections under this title¹ and title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall, subject to paragraph (2), apply with respect to the conduct of each instrumentality of the Congress.

(2) Establishment of remedies and procedures by instrumentalities

The chief official of each instrumentality of the Congress shall establish remedies and procedures to be utilized with respect to the rights and protections provided pursuant to paragraph (1). Such remedies and procedures shall apply exclusively, except for the employees who are defined as Senate employees, in section 2000e–16a(c)(1)¹ of title 42.

(3) Report to Congress

The chief official of each instrumentality of the Congress shall, after establishing remedies and procedures for purposes of paragraph (2), submit to the Congress a report describing the remedies and procedures.

(4) Definition of instrumentalities

For purposes of this section, instrumentalities of the Congress include the following: the Architect of the Capitol, the Congressional Budget Office, the Government Accountability Office, the Government Printing Office, the

¹ See References in Text note below.