



2009

# Bills Introduced in the 111th Congress Regarding Flexible Work Arrangements

Workplace Flexibility 2010, Georgetown University Law Center

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**BILLS INTRODUCED IN THE 111th CONGRESS REGARDING FLEXIBLE WORK ARRANGEMENTS**

**I. Making the Case – Creating a National Campaign for Flexible Work Arrangements (Strategic Public Education Campaign)**

BILL NAME	BILL NUMBER	DATE INTRODUCED	BILL SPONSOR	DESCRIPTION	SIGNIFICANT ACTIONS
American Recovery and Reinvestment Act of 2009 (ARRA)	H.R. 1	1/26/2009	Rep. Obey (D-WI)	Creates the Broadband Technology Opportunities Program. The Program provides access to or improved access to broadband service to consumers in unserved areas in the United States. The program also provides broadband education, public awareness, training, access, equipment and support to job-creating strategic facilities. Among others, the purpose of the Program is to stimulate the demand for broadband, economic growth and job creation. This Program provides the foundation for telework policy insofar as it lays the infrastructure for telework nationwide and provides funding streams.	2/17/2009 Bill became law
To direct the Secretary of Labor to make a grant to a public university to establish the Center for the Study of Women and Workplace Policy.	H.R. 399	1/9/2009	Rep. Dingell (D-MI)	Directs the Secretary of Labor to award a \$1 million annual grant for fiscal years 2010-2014 to a public university to establish a Center for the Study of Women and Workplace Policy. Calls for the Center to publish best practice guides for businesses and families containing guidelines on promoting a family-friendly workplace.	1/9/2009 Referred to House Comm. on Education & Labor.

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**II. Laying the Groundwork – Providing Employers and Employees with Tools to Develop and Sustain Effective Flexible Work Arrangements (Provide Information, Training, Technical Assistance and Implementation Tools)**

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**III. Investing in Innovation – Taking Flexible Work Arrangements to the Next Level**

BILL NAME	BILL NUMBER	DATE INTRODUCED	BILL SPONSOR	DESCRIPTION	SIGNIFICANT ACTIONS
Working Families Flexibility Act	H.R. 1274	3/3/2009	Rep. Maloney (D-NY)	Grants employees the right to request a change in the: (1) number of hours worked; (2) times when the employee is required to work; and (3) location where the employee is required to work. Requires the employer to meet with the employee within 14 days of the request and to issue a decision no later than 14 days after the meeting. Prohibits employers from interfering with this right and provides an enforcement mechanism through the Administrator of the Wage and Hour Division of the Employment Standards Administration of the Department of Labor. Requires the Secretary of Labor to conduct a continuing program of research, education, and technical assistance.	3/3/2009 Referred to House Comms. on Education & Labor, Oversight & Government Reform, House Administration, and Judiciary.
Security and Financial Empowerment (SAFE) Act	H.R. 739	1/28/2009	Rep. Roybal-Allard (D-CA)	Provides victims of domestic violence the right to receive an FWA unless it would impose an undue hardship on the employer by defining the failure to provide a job-related modification to enhance the security of the individual or safeguard the workplace as discrimination.	1/28/2009 Referred to House Comms. on Education & Labor, Ways & Means, and Financial Services.

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BILL NAME	BILL NUMBER	DATE INTRODUCED	BILL SPONSOR	DESCRIPTION	SIGNIFICANT ACTIONS
Older Worker Opportunity Act of 2009	S. 502	2/27/2009	Sen. Kohl (D-WI)	Amends the Internal Revenue Code to allow employers who have tax-qualified pension or retirement plans, and provide health insurance coverage for which they pay at least 60% of the cost to receive tax credits in the amount of 25% of the first \$6000 of the wages of any employee over the age of 62 participating in a formal flexible work program. A "flexible work program" provides full- or part- time flexible work schedules and full pension and health care benefits. This arrangement must be available to an older worker for at least one year, and must be widely available to rank and file employees.	2/27/2009 Referred to Senate Comm. on Finance.
American Recovery and Reinvestment Act of 2009 (ARRA)	H.R. 1	1/26/2009	Rep. Obey (D-WI)	Creates the Broadband Technology Opportunities Program. The Program provides access to or improved access to broadband service to consumers in unserved areas in the United States. The program also provides broadband education, awareness, training, access, equipment and support to job-creating strategic facilities. Among others, the purpose of the Program is to stimulate the demand for broadband, economic growth and job creation. This Program provides the foundation for telework policy insofar as it lays the infrastructure for telework nationwide and provides funding streams.	2/17/2009 Bill became law

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BILL NAME	BILL NUMBER	DATE INTRODUCED	BILL SPONSOR	DESCRIPTION	SIGNIFICANT ACTIONS
To enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts".	H.R. 1107	2/23/2009	Rep. Conyers, Jr. (D-MI)	Requires the Federal Acquisition Regulation to allow employees of Federal contractors to telecommute and prohibits the disqualification of (or discrimination against) a potential government contractor on the basis that the contractor permits its employees to telecommute.	<p>3/18/2009                      Consideration and Markup session held; ordered to be reported by voice vote.</p> <p>3/23/2009                      Reported by Comm. on Judiciary; placed on House Calendar, No. 29.</p>

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**IV. Leading by Example – The Flexible Fed (Supporting the Federal Workforce)**

BILL NAME	BILL NUMBER	DATE INTRODUCED	BILL SPONSOR	DESCRIPTION	SIGNIFICANT ACTIONS
Part-Time Reemployment of Annuitants Act of 2009	S. 629	3/18/2009	Sen. Collins (R-ME)	Allows heads of federal agencies to waive the application of civil service retirement system and federal employee retirement system provisions restricting annuities and pay upon reemployment for up to 2.5% of their workforce for annuitants employed as limited time appointees. Reemployed annuitants would receive both salary and annuity payments. They would not be considered employees for the purposes of retirement and would receive no additional retirement benefits based on a limited time appointment. Requires the Government Accountability Office to submit a report identifying agencies that utilized this authority, along with the number of annuitants granted a waiver, within 3 years.	3/18/2009 Referred to Senate Comm. on Homeland Security & Governmental Affairs.

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BILL NAME	BILL NUMBER	DATE INTRODUCED	BILL SPONSOR	DESCRIPTION	SIGNIFICANT ACTIONS
To amend chapter 83 of title 5, United States Code, to modify the computation for part-time service under the Civil Service Retirement System	S. 469	2/25/2009	Sen. Voinovich (D-IL)	Changes the computation of annuities involving part-time service under the Civil Service Retirement System to correct an existing disincentive for employees that would like to phase into retirement by working part-time towards the end of their careers. Part-time service performed before April 7, 1986 is credited as full-time service for purposes of annuity computation under the Civil Service Retirement System.	3/20/2009 Referred to Senate Subcomm. on Oversight of Government Management, the Federal Workforce, & the District of Columbia.
Part-Time Federal Employees Equity Act of 2009	H.R. 1198	2/25/2009	Rep. Moran (D-VA)		2/25/2009 Referred to House Comm. on Oversight & Government Reform.
Federal Retirement Reform Act of 2009	H.R. 1804	3/31/2009	Rep. Towns (D-NY)		3/31/2009 Referred to House Comms. on Oversight & Government Reform, and Armed Services.



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Telework Enhancement Act of 2009	S. 707	3/25/2009	Sen. Akaka (D-HI)	The head of every executive agency must consult with OPM and establish a policy under which eligible employees may be authorized to telework, the eligibility of all employees to telework is determined, and all employees are notified of their eligibility to telework. This policy must include a requirement that the agency manager and eligible employee enter into a written agreement that outlines the specific work arrangement to which both agree.	3/25/2009 Referred to Senate Comm. on Homeland Security and Governmental Affairs.
Telework Improvements Act of 2009	H.R. 1722	3/25/2009	Rep. Sarbanes (D-MD)	Agencies must designate a Telework Managing Officer, within their Office of the Chief Human Capital Officer, who is responsible for policy development and implementation regarding agency telework programs. Agency heads must also provide an interactive telework training program for all eligible employees and managers of teleworkers. Agency heads must ensure that no distinction is made between teleworkers and non-teleworkers in any performance appraisal.	3/25/2009 Referred to House Comm. on Oversight & Government Reform.

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**V. Building a Support System – Developing a Public-Private Infrastructure**

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Clean, Low-Emission, Affordable, New Transportation Efficiency Act	S. 575  H.R. 1329	3/11/2009  3/5/2009	Sen. Thomas (R-DE)  Rep. Blumenauer (D-OR)	Requires States and metropolitan planning organizations to develop “Transportation Greenhouse Gas Reduction Plans” to reduce greenhouse gas emissions from the transportation sector by investing in “travel or demand management programs,” which including promoting telecommuting, flexible work schedules, or satellite work centers.	3/11/2009 Referred to Senate Comm. on Environment & Public Works.  3/5/2009 Referred to House Comm. on Transportation & Infrastructure.