

114TH CONGRESS
2D SESSION

H. R. 5237

To amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2016

Ms. JENKINS of Kansas introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

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 “Workplace Advance-
5 ment Act”.

6 **SEC. 2. ENHANCED ENFORCEMENT OF EQUAL PAY ACT RE-**
7 **QUIREMENTS.**

8 Section 15(a) of the Fair Labor Standards Act of
9 1938 (29 U.S.C. 215(a)) is amended—

1 (1) in paragraph (5), by striking the period and
2 inserting “; or”; and

3 (2) by adding at the end the following:

4 “(6) to discharge or in any other manner retali-
5 ate against any employee because such employee has
6 inquired about, discussed, or disclosed comparative
7 compensation information for the purpose of deter-
8 mining whether the employer is compensating an
9 employee in a manner that provides equal pay for
10 equal work, except that this paragraph shall not
11 apply to instances in which an employee who has ac-
12 cess to the wage information of other employees as
13 a part of such employee’s job functions discloses the
14 wages of such other employees to an individual who
15 does not otherwise have access to such information,
16 unless such disclosure is in response to a charge or
17 complaint or in furtherance of an investigation, pro-
18 ceeding, hearing, or action under section 6(d), in-
19 cluding an investigation conducted by the employer.
20 Nothing in paragraph (6) shall be construed to limit the
21 rights of an employee provided under any other provision
22 of law.”.

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