

118TH CONGRESS  
1ST SESSION

# S. 2460

To amend the Child Nutrition Act of 1966 to clarify the availability and appropriateness of training for local food service personnel, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 25, 2023

Mrs. MURRAY introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Child Nutrition Act of 1966 to clarify the availability and appropriateness of training for local food service personnel, 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 “Improving Training  
5 for School Food Service Workers Act of 2023”.

1 **SEC. 2. TRAINING AND CERTIFICATION OF ALL LOCAL**  
 2 **FOOD SERVICE PERSONNEL.**

3 Section 7(g)(2)(B) of the Child Nutrition Act of 1966  
 4 (42 U.S.C. 1776(g)(2)(B)) is amended by adding at the  
 5 end the following:

6 “(iv) AVAILABILITY AND APPRO-  
 7 PRIATENESS OF TRAINING.—

8 “(I) IN GENERAL.—A training  
 9 program carried out under this sub-  
 10 paragraph shall—

11 “(aa) be scheduled during  
 12 regular, paid working hours;

13 “(bb) be offered in-person, if  
 14 appropriate;

15 “(cc) incorporate experien-  
 16 tial learning; and

17 “(dd) be provided at no cost  
 18 to food service personnel.

19 “(II) PROGRAM OUTSIDE WORK-  
 20 ING HOURS.—In the event that a  
 21 training program carried out under  
 22 this subparagraph is scheduled out-  
 23 side of regular, paid working hours—

24 “(aa) efforts shall be made  
 25 to inform food service personnel  
 26 of the necessity of the program

1 to be scheduled outside of reg-  
2 ular, paid working hours;

3 “(bb) food service personnel  
4 shall be consulted to schedule the  
5 program at a time that is mini-  
6 mally disruptive to the personnel  
7 participating in the training pro-  
8 gram;

9 “(cc) compensation shall be  
10 provided to food service personnel  
11 attending the program at the  
12 regular rate of pay, including any  
13 applicable overtime rate; and

14 “(dd) food service personnel  
15 shall not be penalized or in any  
16 other manner discriminated  
17 against for not being able to at-  
18 tend the program.

19 “(v) RELATIONSHIP TO OTHER  
20 LAWS.—Nothing in this subparagraph su-  
21 persedes or otherwise modifies any Fed-  
22 eral, State, or local law or legal obligation  
23 governing the relationship between an em-  
24 ployee and employer.”.

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