

Calendar No. 278

114TH CONGRESS
1ST SESSION

S. 2200

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 2015

Mrs. FISCHER introduced the following bill; which was read the first time

OCTOBER 26, 2015

Read the second time and placed on the calendar

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”.

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

3 Section 15(a) of the Fair Labor Standards Act of
4 1938 (29 U.S.C. 215(a)) is amended—

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

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

8 “(6) to discharge or in any other manner retali-
9 ate against any employee because such employee has
10 inquired about, discussed, or disclosed comparative
11 compensation information for the purpose of deter-
12 mining whether the employer is compensating an
13 employee in a manner that provides equal pay for
14 equal work, except that this paragraph shall not
15 apply to instances in which an employee who has ac-
16 cess to the wage information of other employees as
17 a part of such employee’s job functions discloses the
18 wages of such other employees to an individual who
19 does not otherwise have access to such information,
20 unless such disclosure is in response to a charge or
21 complaint or in furtherance of an investigation, pro-
22 ceeding, hearing, or action under section 6(d), in-
23 cluding an investigation conducted by the employer.

24 Nothing in paragraph (6) shall be construed to limit the
25 rights of an employee provided under any other provision
26 of law.”.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) gender-based discrimination in wages or
4 compensation violates existing law; and

5 (2) Congress recommits itself to the principles
6 of equal pay for equal work as enshrined in section
7 6(d) of the Fair Labor Standards Act of 1938 (29
8 U.S.C. 206(d); commonly referred to as the “Equal
9 Pay Act of 1963”) and title VII of the Civil Rights
10 Act of 1964 (42 U.S.C. 2000e et seq.).

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