

118TH CONGRESS
2D SESSION

S. 3947

To amend the Fair Labor Standards Act of 1938 to reduce the standard workweek from 40 hours per week to 32 hours per week, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2024

Mr. SANDERS (for himself and Ms. BUTLER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Fair Labor Standards Act of 1938 to reduce the standard workweek from 40 hours per week to 32 hours per week, 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 “Thirty-Two Hour
5 Workweek Act”.

6 **SEC. 2. FAIR LABOR STANDARDS ACT.**

7 The Fair Labor Standards Act of 1938 (29 U.S.C.
8 201 et seq.) is amended—

9 (1) in section 7 (29 U.S.C. 207)—

1 (A) in subsection (a)—

2 (i) in paragraph (1)—

3 (I) by striking “commerce, for a
4 workweek longer than forty hours”
5 and all that follows through the period
6 and inserting “commerce—”; and

7 (II) by adding at the end the fol-
8 lowing:

9 “(A) for a workweek longer than thirty-two
10 hours unless such employee receives compensation
11 for his employment in excess of such hours at a rate
12 not less than one and one-half times the regular rate
13 at which he is employed; or

14 “(B) for a workday—

15 “(i) longer than eight hours, but not longer
16 than 12 hours, unless such employee receives
17 compensation for his employment in excess of
18 eight hours at a rate not less than one and one-
19 half times the regular rate at which he is em-
20 ployed; or

21 “(ii) longer than twelve hours unless such
22 employee receives compensation for his employ-
23 ment in excess of such hours at a rate not less
24 than double the regular rate at which he is em-
25 ployed.”;

1 (ii) in paragraph (2)—

2 (I) in the matter that precedes
3 subparagraph (A), by striking “Fair
4 Labor Standards Amendments of
5 1966” and inserting “Thirty-Two
6 Hour Workweek Act”; and

7 (II) by striking subparagraphs
8 (A) through (C) and inserting the fol-
9 lowing:

10 “(A) for a workweek longer than thirty-eight
11 hours during the 1-year period beginning not less
12 than 180 days after the date of the enactment of the
13 Thirty-Two Hour Workweek Act,

14 “(B) for a workweek longer than thirty-six
15 hours during the second year after the first day of
16 such period,

17 “(C) for a workweek longer than thirty-four
18 hours during the third year after the first day of
19 such period, or

20 “(D) for a workweek longer than thirty-two
21 hours after the expiration of the third year after the
22 first day of such period,”; and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(3) With respect to any employee described in para-
2 graph (2) who in any workweek is brought within the pur-
3 view of this subsection by the amendments made to this
4 Act by the Thirty-Two Hour Workweek Act, the employer
5 of such employee may not reduce the total workweek com-
6 pensation rate, including the regular rate at which the em-
7 ployee is employed, or any other employee benefit due to
8 the employee being brought within the purview of this sub-
9 section by such amendments.”; and

10 (B) in subsection (l)—

11 (i) by striking “No” and inserting
12 “Except as provided in subsection (a)(2),
13 no”; and

14 (ii) by striking “forty” and inserting
15 “thirty-two”; and

16 (2) in section 18(a) (29 U.S.C. 218(a)) by in-
17 serting “or workday” after “workweek” in each
18 place it occurs.

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