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(Original Signature of Member)

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Fair Labor Standards Act of 1938 to exclude certain activities from hours worked, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mrs. HINSON introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Fair Labor Standards Act of 1938 to exclude certain activities from hours worked, 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 “Flexibility for Workers  
5 Education Act”.

1 **SEC. 2. TREATMENT OF ATTENDANCE OR PARTICIPATION**  
2 **IN CERTAIN ACTIVITIES.**

3 (a) IN GENERAL.—Section 3(o) of the Fair Labor  
4 Standards Act of 1938 (29 U.S.C. 203(o)) is amended to  
5 read as follows:

6 “(o) HOURS WORKED.—In determining for the pur-  
7 poses of sections 6 and 7 the hours for which an employee  
8 is employed, there shall be excluded—

9 “(1) any time spent in changing clothes or  
10 washing at the beginning or end of each workday  
11 which was excluded from measured working time  
12 during the week involved by the express terms of or  
13 by custom or practice under a bona fide collective-  
14 bargaining agreement applicable to the particular  
15 employee; and

16 “(2) any time spent attending or participating  
17 in lectures, education or training programs, and  
18 similar activities, regardless of whether the activity  
19 is offered or facilitated by the employer, provided  
20 that—

21 “(A) such attendance or participation oc-  
22 curs outside of the employee’s regular working  
23 hours;

24 “(B) such attendance or participation is  
25 voluntary and the continuation of employment  
26 and the working conditions related to such em-

1           ployment is not adversely affected by non-at-  
2           tendance or non-participation; and

3                   “(C) the employee does not perform any  
4           productive work for the employer during such  
5           attendance or participation.”.

6           (b) **EFFECTIVE DATE.**—The amendment made by  
7           subsection (a) shall apply with respect to hours worked  
8           on or after the date of enactment of this Act.