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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 child and dependent care services and payments from the rate used to compute overtime compensation.

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IN THE HOUSE OF REPRESENTATIVES

Ms. STEFANIK introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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

To amend the Fair Labor Standards Act of 1938 to exclude child and dependent care services and payments from the rate used to compute overtime compensation.

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 “Empowering Employer  
5 Child and Elder Care Solutions Act”.

1 **SEC. 2. EXCLUSION OF CHILD CARE IN COMPUTING OVER-**  
2 **TIME COMPENSATION.**

3 (a) IN GENERAL.—Section 7(e) of the Fair Labor  
4 Standards Act of 1938 (29 U.S.C. 207(e)) is amended—

5 (1) in paragraph (2), by inserting “payments or  
6 reimbursements for child or dependent care serv-  
7 ices;” after “by the employer;”;

8 (2) in paragraph (7), by striking “or” at the  
9 end;

10 (3) in paragraph (8)(D)(ii), by striking the pe-  
11 riod at the end and inserting “; or”; and

12 (4) by adding at the end the following:

13 “(9) the value of any child or dependent care  
14 services provided by an employer.”.

15 (b) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) shall apply with respect to overtime com-  
17 pensation required to be paid for workweeks beginning on  
18 or after the date of enactment of this Act.