

HR 2870

Day Laborer Fairness and Protection Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Jul 24, 2003

Current Status: Referred to the Subcommittee on Workforce Protections.

Latest Action: Referred to the Subcommittee on Workforce Protections. (Aug 13, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/2870>

Sponsor

Name: Rep. Gutierrez, Luis V. [D-IL-4]

Party: Democratic • State: IL • Chamber: House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Lee, Barbara [D-CA-9]	D · CA		Sep 4, 2003

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Aug 13, 2003

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

No related bills are listed.

Day Laborer Fairness and Protection Act - Declares that a day laborer shall be paid not less than the equivalent of the prevailing wage rate paid to permanent employees who are performing substantially equivalent work, with due consideration given to seniority, experience, and skills. Prohibits employers from reducing the wage rate of any employee in order to comply with requirements of this Act.

Specifies other rights of day laborers.

Sets forth requirements for among other matters: (1) agency payments to day laborers for excessive processing time; (2) civil damages and criminal penalties for certain employer violations; (3) health and safety; and (4) agency and employer registration with the Secretary of Labor.

Prohibits: (1) charges for cashing wage payment checks or for overpayments; (2) restrictions on worker acceptance of permanent positions (but allows placement fees to agencies by employers); and (3) retaliation against day laborers through discharge or in any other manner.

Amends the National Labor Relations Act to make it an unfair labor practice for employers to offer and grant: (1) permanent replacement employee status or other employment preferences to individuals for performing bargaining unit work for the employer during a labor dispute; or (2) any employment preference based on an individual's being employed, or having indicated a willingness to be employed, during a labor dispute, over any employee who was there at dispute commencement, has exercised rights through the labor organization involved in the dispute, and is working for the employer, or has unconditionally offered to return to such work.

## **Actions Timeline**

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- **Aug 13, 2003:** Referred to the Subcommittee on Workforce Protections.
- **Jul 25, 2003:** Sponsor introductory remarks on measure. (CR E1598-1599)
- **Jul 24, 2003:** Introduced in House
- **Jul 24, 2003:** Introduced in House
- **Jul 24, 2003:** Referred to the House Committee on Education and the Workforce.