

HR 1367

To amend title 11 of the United States Code to protecting the labor rights of current and former employees of coal industry employers that are debtors under such title.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Mar 17, 2005

Current Status: Referred to the Subcommittee on Commercial and Administrative Law.

Latest Action: Referred to the Subcommittee on Commercial and Administrative Law. (Apr 4, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/1367>

Sponsor

Name: Rep. Boucher, Rick [D-VA-9]

Party: Democratic • **State:** VA • **Chamber:** House

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Costello, Jerry F. [D-IL-12]	D · IL		Mar 17, 2005
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Mar 17, 2005
Rep. Strickland, Ted [D-OH-6]	D · OH		Mar 17, 2005
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		May 12, 2005

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Apr 4, 2005

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

No related bills are listed.

Expresses the sense of Congress that the abuse of the provisions of bankruptcy law by certain coal industry employers is damaging to the economic health of the United States, as well as to the employees who are directly harmed by such legal abuses.

Amends Federal bankruptcy law to declare that sale by the bankruptcy trustee of a facility owned or operated by a coal industry employer involved in coal production, processing, or transportation is subject to the labor rights of the current and former employees of the debtor.

States that if employees at such facility are represented by a labor organization, such organization is conclusively presumed to enjoy majority support for a period of one year from the date of such sale, or such longer period as required by applicable nonbankruptcy law.

Sets forth criteria for approval of an application to reject a collective bargaining agreement by a coal industry employer relating to a covered facility.

States that obligations arising under the terms of a collective bargaining agreement before the entry of bankruptcy relief are secured by a lien on all of the debtor's assets.

Declares that all members of a debtor's controlled group of corporations are jointly and severally liable for damages arising as the result of the court-approved application for the modification of retiree benefits owed by a coal industry employer relating to a covered facility. Declares all such claims entitled to priority status.

Actions Timeline

- **Apr 4, 2005:** Referred to the Subcommittee on Commercial and Administrative Law.
- **Mar 17, 2005:** Introduced in House
- **Mar 17, 2005:** Introduced in House
- **Mar 17, 2005:** Referred to the House Committee on the Judiciary.