

## S 3402

United States Call Center Worker and Consumer Protection Act of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Commerce

**Introduced:** Jul 18, 2012

**Current Status:** Read twice and referred to the Committee on Commerce, Science, and Transportation.

**Latest Action:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (Jul 18, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/3402>

### Sponsor

**Name:** Sen. Casey, Robert P., Jr. [D-PA]

**Party:** Democratic • **State:** PA • **Chamber:** Senate

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brown, Sherrod [D-OH]	D · OH		Jul 18, 2012
Sen. Blumenthal, Richard [D-CT]	D · CT		Sep 11, 2012
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Sep 13, 2012
Sen. Sanders, Bernard [I-VT]	I · VT		Sep 19, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Jul 18, 2012

### Subjects & Policy Tags

#### Policy Area:

Commerce

### Related Bills

Bill	Relationship	Last Action
112 HR 3596	Related bill	<b>Dec 9, 2011:</b> Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
112 S 1536	Related bill	<b>Sep 9, 2011:</b> Read twice and referred to the Committee on Commerce, Science, and Transportation.

United States Call Center Worker and Consumer Protection Act of 2012 - Requires a business enterprise that employs 50 or more employees, excluding part-time employees, or 50 or more employees who in the aggregate work at least 1,500 hours per week, exclusive of overtime, in a call center to notify the Secretary of Labor at least 120 days before relocating such center outside of the United States. Subjects violators to a civil penalty of up to \$10,000 a day. Directs the Secretary to establish, maintain, and make publicly available a list of all such employers that relocate a call center. Authorizes the Secretary to remove from the list an employer that has relocated the call center from a location outside the United States to a location inside the United States.

Requires such an employer to remain on the list for up to three years after each relocation. Makes such an employer ineligible for federal grants or federal guaranteed loans for five years after being added to the list, except where the employer demonstrates that a lack of such loan or grant would threaten national security, result in substantial job loss in the United States, or harm the environment. Requires the head of federal or state executive agency or military department, when awarding a civilian or defense-related contract, to give preference to a U.S. employer that does not appear on the list.

Requires a business entity that initiates or receives a customer service communication to require each of its employees or agents participating in the communication to disclose their physical location at the beginning of each such communication unless all involved employees or agents are located in the United States. Exempts any communication: (1) initiated by a consumer if the consumer knows or reasonably should know that the employee or agent is located outside the United States, or (2) related to the provision of emergency services. Requires such a business entity, upon request, to transfer a customer to a customer service agent who is physically located in the United States.

Authorizes the Federal Trade Commission (FTC) to exclude certain classes or types of business entities or customer services communications from the requirements of this Act under exceptionally compelling circumstances. Sets forth enforcement provisions.

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### **Actions Timeline**

- **Jul 18, 2012:** Introduced in Senate
- **Jul 18, 2012:** Read twice and referred to the Committee on Commerce, Science, and Transportation.