

S 4738

Worker Flexibility and Small Business Protection Act of 2020

Congress: 116 (2019–2021, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Sep 24, 2020

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Sep 24, 2020)

Official Text: <https://www.congress.gov/bill/116th-congress/senate-bill/4738>

Sponsor

Name: Sen. Murray, Patty [D-WA]

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

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brown, Sherrod [D-OH]	D · OH		Sep 24, 2020
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Oct 21, 2020

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Sep 24, 2020

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
116 HR 8375	Identical bill	Sep 24, 2020: Referred to the Committee on Education and Labor, and in addition to the Committees on Oversight and Reform, House Administration, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Worker Flexibility and Small Business Protection Act of 2020

This bill classifies certain workers as employees, permits employees to request work schedule flexibility, expands oversight mechanisms for certain labor protections, requires employers to post compliance ratings, and provides standards for interpreting and applying certain worker rights.

First, the bill provides that workers only may be classified under various labor laws as independent contractors, and not employees, in specified circumstances. It also permits employees to continue, or request, work schedule flexibility.

The bill also defines the term *multiple employers* under various labor laws and makes parent companies responsible for the labor requirements of subsidiary employers. Certain owners, officers, and managers of companies may be assessed civil penalties for violations of certain labor laws; the 10 largest shareholders of employers also may be jointly liable for damages and civil penalties against such employers. Employers also are responsible for the labor protections of employees provided through staffing companies (e.g., temporary employees), including providing wages comparable to direct employees performing similar work.

Additionally, employers must post a rating of their compliance with applicable labor laws as determined by the Department of Labor.

Finally, the bill requires that specified labor laws are interpreted to include as employees workers or individuals claiming such classification. Further, agencies may not take actions to reduce employee protections under such laws without approval by Congress, and the bill provides standards of interpretation for judicial review.

Actions Timeline

- **Sep 24, 2020:** Introduced in Senate
- **Sep 24, 2020:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.