

HJRES 98

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to "Standard for Determining Joint Employer Status".

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: Labor and Employment

Introduced: Nov 9, 2023

Current Status: The Chair directed the Clerk to notify the Senate of the action of the House.

Latest Action: The Chair directed the Clerk to notify the Senate of the action of the House. (May 7, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/house-joint-resolution/98>

Sponsor

Name: Rep. James, John [R-MI-10]

Party: Republican • **State:** MI • **Chamber:** House

Cosponsors (68 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Banks, Jim [R-IN-3]	R · IN		Nov 9, 2023
Rep. Bean, Aaron [R-FL-4]	R · FL		Nov 9, 2023
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Nov 9, 2023
Rep. Cole, Tom [R-OK-4]	R · OK		Nov 9, 2023
Rep. Comer, James [R-KY-1]	R · KY		Nov 9, 2023
Rep. Crawford, Eric A. "Rick" [R-AR-1]	R · AR		Nov 9, 2023
Rep. Duncan, Jeff [R-SC-3]	R · SC		Nov 9, 2023
Rep. Fitzgerald, Scott [R-WI-5]	R · WI		Nov 9, 2023
Rep. Foxx, Virginia [R-NC-5]	R · NC		Nov 9, 2023
Rep. Good, Bob [R-VA-5]	R · VA		Nov 9, 2023
Rep. Gooden, Lance [R-TX-5]	R · TX		Nov 9, 2023
Rep. Harshbarger, Diana [R-TN-11]	R · TN		Nov 9, 2023
Rep. Higgins, Clay [R-LA-3]	R · LA		Nov 9, 2023
Rep. Hinson, Ashley [R-IA-2]	R · IA		Nov 9, 2023
Rep. Houchin, Erin [R-IN-9]	R · IN		Nov 9, 2023
Rep. Johnson, Mike [R-LA-4]	R · LA		Nov 9, 2023
Rep. LaTurner, Jake [R-KS-2]	R · KS		Nov 9, 2023
Rep. Letlow, Julia [R-LA-5]	R · LA		Nov 9, 2023
Rep. McClain, Lisa C. [R-MI-9]	R · MI		Nov 9, 2023
Rep. Moolenaar, John R. [R-MI-2]	R · MI		Nov 9, 2023
Rep. Mooney, Alexander X. [R-WV-2]	R · WV		Nov 9, 2023
Rep. Pence, Greg [R-IN-6]	R · IN		Nov 9, 2023
Rep. Rose, John W. [R-TN-6]	R · TN		Nov 9, 2023
Rep. Smith, Adrian [R-NE-3]	R · NE		Nov 9, 2023
Rep. Steel, Michelle [R-CA-45]	R · CA		Nov 9, 2023
Rep. Stefanik, Elise M. [R-NY-21]	R · NY		Nov 9, 2023
Rep. Thompson, Glenn [R-PA-15]	R · PA		Nov 9, 2023
Rep. Valadao, David G. [R-CA-22]	R · CA		Nov 9, 2023
Rep. Walberg, Tim [R-MI-5]	R · MI		Nov 9, 2023
Rep. Allen, Rick W. [R-GA-12]	R · GA		Nov 13, 2023
Rep. Latta, Robert E. [R-OH-5]	R · OH		Nov 13, 2023
Rep. Moran, Nathaniel [R-TX-1]	R · TX		Nov 13, 2023
Rep. Yakym, Rudy [R-IN-2]	R · IN		Nov 13, 2023
Rep. Carl, Jerry L. [R-AL-1]	R · AL		Nov 14, 2023
Rep. Davidson, Warren [R-OH-8]	R · OH		Nov 14, 2023
Rep. Rutherford, John H. [R-FL-5]	R · FL		Nov 14, 2023
Rep. Bucshon, Larry [R-IN-8]	R · IN		Nov 15, 2023
Rep. Mann, Tracey [R-KS-1]	R · KS		Nov 15, 2023
Rep. Langworthy, Nicholas A. [R-NY-23]	R · NY		Nov 28, 2023
Rep. Meuser, Daniel [R-PA-9]	R · PA		Nov 28, 2023
Rep. Balderson, Troy [R-OH-12]	R · OH		Nov 30, 2023

Cosponsor	Party / State	Role	Date Joined
Rep. Stauber, Pete [R-MN-8]	R · MN		Dec 1, 2023
Rep. Kiley, Kevin [R-CA-3]	R · CA		Dec 4, 2023
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Dec 7, 2023
Rep. Barr, Andy [R-KY-6]	R · KY		Dec 11, 2023
Rep. Bice, Stephanie I. [R-OK-5]	R · OK		Dec 11, 2023
Rep. Burlison, Eric [R-MO-7]	R · MO		Dec 11, 2023
Rep. Gosar, Paul A. [R-AZ-9]	R · AZ		Dec 11, 2023
Rep. Guthrie, Brett [R-KY-2]	R · KY		Dec 11, 2023
Rep. Hagedorn, Harriet M. [R-WY-At Large]	R · WY		Dec 11, 2023
Rep. Hern, Kevin [R-OK-1]	R · OK		Dec 11, 2023
Rep. Joyce, David P. [R-OH-14]	R · OH		Dec 11, 2023
Rep. Perry, Scott [R-PA-10]	R · PA		Dec 11, 2023
Rep. Lesko, Debbie [R-AZ-8]	R · AZ		Dec 12, 2023
Rep. Baird, James R. [R-IN-4]	R · IN		Dec 13, 2023
Rep. Edwards, Chuck [R-NC-11]	R · NC		Dec 13, 2023
Rep. Finstad, Brad [R-MN-1]	R · MN		Dec 13, 2023
Rep. Kim, Young [R-CA-40]	R · CA		Dec 14, 2023
Rep. Miller, Carol D. [R-WV-1]	R · WV		Dec 14, 2023
Rep. Grothman, Glenn [R-WI-6]	R · WI		Dec 19, 2023
Rep. Joyce, John [R-PA-13]	R · PA		Dec 19, 2023
Rep. Murphy, Gregory F. [R-NC-3]	R · NC		Dec 19, 2023
Rep. Rouzer, David [R-NC-7]	R · NC		Dec 19, 2023
Rep. Williams, Roger [R-TX-25]	R · TX		Dec 19, 2023
Rep. Womack, Steve [R-AR-3]	R · AR		Dec 19, 2023
Rep. Timmons, William R. IV [R-SC-4]	R · SC		Jan 2, 2024
Rep. Johnson, Dusty [R-SD-At Large]	R · SD		Jan 3, 2024
Rep. Williams, Brandon [R-NY-22]	R · NY		Jan 3, 2024

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Unknown	May 7, 2024

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
118 HRES 947	Related bill	Jan 11, 2024: On agreeing to the resolution Agreed to by recorded vote: 211 - 202, 1 Present (Roll no. 5). (text: 01/10/2024 CR H25)
118 SJRES 49	Identical bill	Nov 9, 2023: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

This joint resolution nullifies the final rule issued by the National Labor Relations Board titled *Standard for Determining Joint Employer Status* and published on October 27, 2023. The rule establishes a new joint employer standard for determining whether two employers simultaneously employ a particular employee or employees. Under the rule, an entity may be considered a joint employer of another employer's employees if the two share or codetermine the employees' essential terms and conditions of employment.

The rule took effect on February 26, 2024.

Actions Timeline

- **May 7, 2024:** The Chair laid before the House the veto message from the President. (text: 5/6/2024 CR H2840)
- **May 7, 2024:** DEBATE - Pursuant to a previous order of the House of May 6, 2024 the unfinished business is the further consideration of the veto message of the President on H.J. Res. 98. The House proceeded with one hour of debate on the objections of the President to the contrary notwithstanding. (consideration: CR H2891-2896)
- **May 7, 2024:** The previous question was ordered without objection.
- **May 7, 2024:** POSTPONED PROCEEDINGS - At the conclusion of debate on the veto message of the President to H.J. Res. 98, the Chair put the question on will the House, on reconsideration, pass H.J. Res. 98, the objections of the President to the contrary notwithstanding. Under the Constitution, the vote must be taken by the yeas and nays. Further proceedings were postponed until a time to be announced.
- **May 7, 2024:** The Chair announced the unfinished business to be the consideration of the veto. (consideration: CR H2908-2909)
- **May 7, 2024:** Failed of passage in House over veto On passage, the objections of the President to the contrary notwithstanding Failed by the Yeas and Nays: (2/3 required): 214 - 191 (Roll no. 185).
- **May 7, 2024:** On passage, the objections of the President to the contrary notwithstanding Failed by the Yeas and Nays: (2/3 required): 214 - 191 (Roll no. 185).
- **May 7, 2024:** Motion to refer the bill and accompanying veto message to the Committee on Education and the Workforce.
- **May 7, 2024:** On motion to refer the bill and the accompanying veto message to the Committee on Education and the Workforce. Agreed to without objection.
- **May 7, 2024:** The Chair directed the Clerk to notify the Senate of the action of the House.
- **May 6, 2024:** The Chair laid before the House the veto message from the President.
- **May 6, 2024:** The Chair announced that the objections of the President to H.J. Res. 98 would be spread at large upon the Journal, and the veto message would be printed as a House Document (118-135).
- **May 6, 2024:** POSTPONED CONSIDERATION OF VETO MESSAGE - The Chair announced that further consideration of the veto message and the joint resolution, H.J. Res. 98, is postponed until the legislative day of Tuesday, May 7, 2024. Agreed to without objection.
- **May 3, 2024:** Vetoed by President.
- **May 1, 2024:** Presented to President.
- **Apr 15, 2024:** Message on Senate action sent to the House.
- **Apr 10, 2024:** Passed/agreed to in Senate: Passed Senate without amendment by Yea-Nay Vote. 50 - 48. Record Vote Number: 122. (text: CR S2695)
- **Apr 10, 2024:** Passed Senate without amendment by Yea-Nay Vote. 50 - 48. Record Vote Number: 122. (text: CR S2695)
- **Jan 16, 2024:** Received in the Senate.
- **Jan 12, 2024:** Considered under the provisions of rule H. Res. 947. (consideration: CR H112-124)
- **Jan 12, 2024:** Rule provides for consideration of H.R. 788, H.J. Res. 98 and S.J. Res. 38. The resolution provides for consideration of H.R. 788 under a structured rule, with one hour of general debate. The resolution provides for consideration of H.J. Res. 98 and S.J. Res. 38 under a closed rule, with one hour of general debate on each joint resolution. Also, the resolution provides for a motion to recommit on H.R. 788 and H.J. Res. 98. A motion to commit on S.J. Res. 38.
- **Jan 12, 2024:** DEBATE - The House proceeded with one hour of debate on H.J. Res. 98.
- **Jan 12, 2024:** The previous question was ordered pursuant to the rule.
- **Jan 12, 2024:** POSTPONED PROCEEDINGS - At the conclusion of debate on H.J. Res. 98, the Chair put the question on passage of the joint resolution and by voice vote, announced that the ayes had prevailed. Ms. Foxx demanded the yeas and nays and the Chair postponed further proceedings until a time to be announced.
- **Jan 12, 2024:** Considered as unfinished business. (consideration: CR H124-125)
- **Jan 12, 2024:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 206 - 177 (Roll no. 10). (text: CR H113)
- **Jan 12, 2024:** On passage Passed by the Yeas and Nays: 206 - 177 (Roll no. 10). (text: CR H113)
- **Jan 12, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Jan 9, 2024:** Rules Committee Resolution H. Res. 947 Reported to House. Rule provides for consideration of H.R. 788, H.J. Res. 98 and S.J. Res. 38. The resolution provides for consideration of H.R. 788 under a structured rule, with one

hour of general debate. The resolution provides for consideration of H.J. Res. 98 and S.J. Res. 38 under a closed rule, with one hour of general debate on each joint resolution. Also, the resolution provides for a motion to recommit on H.R. 788 and H.J. Res. 98. A motion to commit on S.J. Res. 38.

- **Jan 3, 2024:** Reported by the Committee on Education and the Workforce. H. Rept. 118-338.
- **Jan 3, 2024:** Placed on the Union Calendar, Calendar No. 277.
- **Dec 12, 2023:** Committee Consideration and Mark-up Session Held
- **Dec 12, 2023:** Ordered to be Reported by the Yeas and Nays: 25 - 20.
- **Nov 9, 2023:** Introduced in House
- **Nov 9, 2023:** Referred to the House Committee on Education and the Workforce.