

POLICY MATTERS

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Paycheck Fairness Act Headed to the House Floor. The [Paycheck Fairness Act](#) (H.R. 7) steadily marches to passage by the House. Less than a week after it was [approved](#) along party lines by the Education and Labor Committee, Speaker Pelosi announced that it would get a vote in the full House before April 2. Bloomberg [reports](#) that the vote will come as early as next week, according to Majority Whip Stoyer. As previously noted, Seyfarth [testified](#) on the legislation and will remain engaged as the bill moves to the Senate, where action is uncertain.

Minimum Wage Bill Approved by Committee. Meanwhile, the House Education and Labor Committee continued to advance other aspects of its agenda. The [Raise the Wage Act](#) (H.R. 582) was approved at the Committee's [mark-up](#) on March 6. The bill would raise the federal minimum wage (currently \$7.25) to \$15.00 over five years, and would phase out the tipped employee wage, the sub-minimum wage for new teenaged employees, and the section 14(c) program. Several Republican amendments were rejected. The bill will soon move to the House floor, where it is expected to pass. Without amendments providing pro-employer "sweeteners" (e.g., new or improved exemptions), an increase to \$15.00 seems unlikely to make it through the Senate.

It's Back . . . Court Reinstates Pay Data Collection to the EEO-1 Report. During the Obama Administration, the EEOC revised the EEO-1 report to require employers with 100 or more employees to report W-2 wage information and total hours worked for all employees by race, ethnicity, and sex. The collection was supposed to begin in March 2018, but, in August 2017, the Trump Administration's Office of Management and Budget (OMB) stayed implementation. This week, the U.S. District Court for the District of Columbia found that OMB's decision was arbitrary and capricious, lacking a "reasoned explanation." The court vacated OMB's stay and reinstated the reporting requirement. We anticipate the decision to be appealed. In the meantime, however, expect guidance from the EEOC on employers' obligations with respect to the rapidly approaching May 31 deadline for reporting. For more details, see Seyfarth's [One Minute Memo](#) on the topic. A webinar on latest developments is scheduled for Monday, March 18, 1:00 pm - 2:00 pm CT. Learn more [here](#).

Wage & Hour Division Sends Joint Employer Proposal to OMB. Last week, the Department of Labor's Wage & Hour Division sent its [joint employment regulatory proposal](#) to OMB for review and approval. This is one of the final steps before the proposal is published in the Federal Register for the public to comment. WHD has been guarded about the specifics of the proposal, but it is expected to provide clarity on an often-contentious issue, particularly in the area of franchise relationships.

Leave, Leave Everywhere. Paid leave remains a hot topic on Capitol Hill. And not only among the labor committees. Today, the House Ways & Means Committee's subcommittee on Worker & Family Support held a [hearing](#) titled "Leveling the Playing Field for Working Families: Challenges and Opportunities." Ways & Means is the House's tax-writing committee, and joins the paid sick leave discussion via the [FAMILY](#) (Family and Medical Insurance Leave) Act (H.R. 1185), which was introduced by Rep. DeLauro (D-CT), and which would create a tax on wages to fund a federal family leave benefit.

By: [Randy Johnson](#) and [Alex Passantino](#)

Randy Johnson is a Partner in Seyfarth Shaw's Washington, DC office and chairs the firm's [Government Relations and Policy Practice Group](#) (GRPG). Alex is a Partner in Seyfarth Shaw's Washington, DC office and Co-Chair of the firm's Wage and Hour Litigation Practice Group.

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