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116TH CONGRESS
1ST SESSION

H. R. 3468

To amend the Fair Labor Standards Act of 1938 to provide that sex includes sexual orientation and gender identity, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2019

Mr. BROWN of Maryland (for himself, Mr. CICILLINE, Mr. CRIST, Ms. MOORE, Ms. NORTON, Ms. HAALAND, Ms. SCHAKOWSKY, Mr. SOTO, and Ms. CRAIG) introduced the following bill; which was referred to the Committee on Education and Labor

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A BILL

To amend the Fair Labor Standards Act of 1938 to provide that sex includes sexual orientation and gender identity, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fair Pay for All Act of 2019''.

SEC. 2. SEX TO INCLUDE SEXUAL ORIENTATION AND GENDER IDENTITY.

Section 6(d)(4) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(d)(4)) is amended—

(1) by striking the period at the end and inserting a semicolon;

(2) by striking ''subsection, the term'' and inserting the following: ''subsection—

''(A) the term''; and

(3) by adding at the end the following:

''(B) the term 'gender identity' means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth;

''(C) the term 'sex' includes—

''(i) a sex stereotype;

''(ii) pregnancy, childbirth, or a related medical condition;

''(iii) sexual orientation or gender identity; and

''(iv) sex characteristics, including intersex traits; and

''(D) the term 'sexual orientation' includes homosexuality, heterosexuality, and bisexuality.''.

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