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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Fair Labor Standards Act of 1938 to prohibit employers from inquiring about vaccination status, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MAST introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Fair Labor Standards Act of 1938 to prohibit employers from inquiring about vaccination status, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION RELATING TO VACCINATION STA-**
4 **TUS INQUIRIES.**

5 (a) IN GENERAL.—The Fair Labor Standards Act of
6 1938 (29 U.S.C. 201 et seq.) is amended by inserting
7 after section 7 the following new section:

1 **“SEC. 8. PROHIBITION RELATING TO VACCINATION STATUS**
2 **INQUIRIES.**

3 “It shall be an unlawful practice for an employer to
4 inquire about the vaccination status of any current or pro-
5 spective employee.”.

6 (b) PENALTIES.—Section 16 of such Act (29 U.S.C.
7 216) is amended by adding at the end the following new
8 subsection:

9 “(f) Any person who violates the provisions of section
10 8 shall—

11 “(1) be subject to a civil penalty of \$5,000 for
12 a first offense, increased by an additional \$1,000 for
13 each subsequent offense, not to exceed \$10,000; and

14 “(2) be liable to each employee or prospective
15 employee who was the subject of the violation for
16 special damages not to exceed \$10,000 plus attor-
17 neys’ fees, and shall be subject to such injunctive re-
18 lief as may be appropriate.”.