

112TH CONGRESS
1ST SESSION

H. R. 3493

To establish a commission to study employment and economic insecurity
in the United States workforce.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2011

Mr. HASTINGS of Florida introduced the following bill; which was referred to
the Committee on Education and the Workforce

A BILL

To establish a commission to study employment and
economic insecurity in the United States workforce.

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. SHORT TITLE.**

4 This Act may be cited as the “National Commission
5 on Employment and Economic Security Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Americans’ commitment to economic par-
9 ticipation has been a defining feature of the cultural
10 fabric of the United States, helping individuals feel

1 positive about themselves, develop independence, and
2 maintain hope for the future.

3 (2) As Americans lose their jobs and their in-
4 comes shrink, too often, they also face the loss of
5 their family's health insurance and, subsequent to
6 the loss of income, even their housing.

7 (3) Since the recession began in December
8 2007, more than 9 million jobs have been lost. Ac-
9 cording to the Bureau of Labor Statistics, by Sep-
10 tember 2011, the unemployment rate had climbed to
11 9.1 percent. The scope of the economic downturn is
12 so large that its impact is felt almost everywhere
13 along the economic spectrum.

14 (4) As of September 2011, the number of un-
15 employed persons had reached 14 million, and the
16 unemployment rate has hovered between 9.0 and 9.2
17 percent since April 2011, according to the Bureau of
18 Labor Statistics.

19 (5) The number of long-term unemployed work-
20 ers (i.e., those jobless for 27 weeks or more) was 6.2
21 million in September 2011 and has increased by al-
22 most 26 percent since the start of the recession in
23 2007.

24 (6) According to an American Psychological As-
25 sociation September 2010 report, money (76 per-

1 cent), work (70 percent) and the economy (65 per-
2 cent) remain the most frequently cited sources of
3 stress for Americans.

4 (7) The loss of a job and the subsequent loss
5 of income, insurance, and other benefits from that
6 job have been proven to not only lead to increased
7 stress but also be substantial triggers for mental
8 health disorders including depression and anxiety.

9 (8) Calls to the National Suicide Prevention
10 Lifeline increased by more than 72 percent from
11 2007 to 2010.

12 (9) One-third of people going through fore-
13 closure are clinically depressed.

14 (10) According to a 2010 American Psycho-
15 logical Association report, job stability is on the rise
16 as a source of stress; nearly half (49 percent) of
17 adults reported that job stability was a source of
18 stress in 2010 (compared to 44 percent in 2009). At
19 the same time, fewer Americans are satisfied with
20 the ways their employer helps them balance work
21 and non-work demands (36 percent compared to 42
22 percent in 2009).

23 (11) Research shows that time flexible work
24 policies are associated with less stress, fewer ab-
25 sences from work, and more employer loyalty.

1 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

2 There is established a commission to be known as the
3 “National Commission on Employment and Economic Se-
4 curity”.

5 **SEC. 4. DUTIES OF COMMISSION.**

6 The Commission shall—

7 (1) examine the issues of economic and psycho-
8 logical insecurity of members of the United States
9 workforce caused by employment displacement;

10 (2) gather data on the relationship between (A)
11 psychological stress caused by employment insecurity
12 and economic insecurity, (B) the increase in mental
13 health disorders including clinical depression and
14 anxiety in the United States, and (C) increased vio-
15 lence by employees and former employees in the
16 workplace and in their private lives;

17 (3) analyze the psychological impact of in-
18 creased workplace responsibilities and stress on cur-
19 rent workers due to downsizing, and the role of
20 workplace flexibility policies in alleviating stress on
21 these remaining workers;

22 (4) examine the economic and psychological ef-
23 fects of the decreasing number of well-paid jobs on
24 members of the United States workforce and their
25 families;

1 (5) analyze whether measures may be taken to
2 reduce said economic and psychological effects; and

3 (6) recommend potential solutions, including
4 recommendations for legislative and administrative
5 action, to alleviate the problems of economic and
6 psychological insecurity of members of the United
7 States workforce.

8 **SEC. 5. MEMBERSHIP OF COMMISSION.**

9 (a) NUMBER AND APPOINTMENT.—The Commission
10 shall be composed of 17 members, with expertise in re-
11 search methods or statistics, who shall be appointed as
12 follows:

13 (1) 9 individuals appointed by the President, of
14 which—

15 (A) 2 members shall be individuals who
16 represent labor organizations as defined by sec-
17 tion 2(5) of the National Labor Relations Act
18 (29 U.S.C. 152(5));

19 (B) 2 members shall be individuals who
20 represent business interests;

21 (C) 2 members shall be individuals who
22 represent mental health interests; and

23 (D) 3 members shall be individuals who
24 represent relevant Federal agencies.

1 (2) 2 individuals appointed by the Speaker of
2 the House of Representatives.

3 (3) 2 individuals appointed by the minority
4 leader of the House of Representatives.

5 (4) 2 individuals appointed by the majority
6 leader of the Senate.

7 (5) 2 individuals appointed by the minority
8 leader of the Senate.

9 (b) QUALIFICATIONS.—

10 (1) IN GENERAL.—Members shall be experts in
11 the fields of labor, employment, economics, and psy-
12 chology.

13 (2) POLITICAL AFFILIATION.—Political affili-
14 ation shall not be a factor in the appointment of
15 members.

16 (c) DEADLINE FOR APPOINTMENT.—Each member
17 shall be appointed to the Commission not later than 90
18 days after the date of the enactment of this Act.

19 (d) TERMS.—Each member shall be appointed for the
20 life of the Commission.

21 (e) VACANCIES.—A vacancy in the Commission shall
22 be filled in the manner in which the original appointment
23 was made.

24 (f) BASIC PAY.—Members shall serve without pay.

1 (g) TRAVEL EXPENSES.—Each member shall receive
2 travel expenses, including per diem in lieu of subsistence,
3 in accordance with sections 5702 and 5703 of title 5,
4 United States Code.

5 (h) QUORUM.—8 members of the Commission shall
6 constitute a quorum but a lesser number may hold hear-
7 ings.

8 (i) CHAIRPERSON.—

9 (1) IN GENERAL.—The Chairperson of the
10 Commission shall be elected by the members not
11 later than 30 days after the date on which all of the
12 original members of the Commission have been ap-
13 pointed.

14 (2) PRESIDENTIAL APPOINTMENT.—If the
15 members of the Commission are unable to elect the
16 Chairperson in accordance with paragraph (1), the
17 President shall appoint a member of the Commission
18 to be the Chairperson.

19 (j) MEETINGS.—The Commission shall meet at the
20 call of the Chairperson.

21 **SEC. 6. STAFF OF COMMISSION.**

22 (a) STAFF.—The Chairperson may appoint and fix
23 the pay of the personnel of the Commission as the Chair-
24 person considers appropriate.

1 (b) **APPLICABILITY OF CERTAIN CIVIL SERVICE**
2 **LAWS.**—The staff of the Commission shall be appointed
3 subject to the provisions of title 5, United States Code,
4 governing appointments in the competitive service, and
5 shall be paid in accordance with the provisions of chapter
6 51 and subchapter III of chapter 53 of that title relating
7 to classification and General Schedule pay rates.

8 (c) **STAFF OF FEDERAL AGENCIES.**—Upon request
9 of the Chairperson, the head of any Federal department
10 or agency may detail, on a reimbursable basis, any of the
11 personnel of that department or agency to the Commission
12 to assist it in carrying out its duties under this Act.

13 **SEC. 7. POWERS OF COMMISSION.**

14 (a) **HEARINGS AND SESSIONS.**—The Commission
15 may, for the purpose of carrying out this Act, hold hear-
16 ings, sit and act at times and places, take testimony, and
17 receive evidence as the Commission considers appropriate.
18 The Commission may administer oaths or affirmations to
19 witnesses appearing before it.

20 (b) **POWERS OF MEMBERS AND AGENTS.**—Any mem-
21 ber or agent of the Commission may, if authorized by the
22 Commission, take any action which the Commission is au-
23 thorized to take by this section.

24 (c) **OBTAINING OFFICIAL DATA.**—The Commission
25 may secure directly from any Federal department or agen-

1 cy information necessary to enable it to carry out this Act.
2 Upon request of the Chairperson of the Commission, the
3 head of that department or agency shall provide that in-
4 formation to the Commission.

5 (d) MAIL.—The Commission may use the United
6 States mail in the same manner and under the same con-
7 ditions as other Federal departments and agencies.

8 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
9 the request of the Commission, the Administrator of Gen-
10 eral Services shall provide to the Commission, on a reim-
11 bursable basis, the administrative support services nec-
12 essary for the Commission to carry out its responsibilities
13 under this Act.

14 (f) IMMUNITY.—The Commission is an agency of the
15 United States for purpose of part V of title 18, United
16 States Code (relating to immunity of witnesses).

17 (g) SUBPOENA POWER.—

18 (1) IN GENERAL.—The Commission may issue
19 a subpoena to require the attendance and testimony
20 of witnesses and the production of evidence relating
21 to any matter described in paragraphs (1) through
22 (3) of section 4.

23 (2) FAILURE TO OBEY AN ORDER OR SUB-
24 POENA.—If a person refuses to obey a subpoena
25 issued under paragraph (1), the Commission may

1 apply to a United States district court for an order
2 requiring that person to appear before the Commis-
3 sion to give testimony, produce evidence, or both, re-
4 lating to the matter under investigation. The appli-
5 cation may be made within the judicial district
6 where the hearing is conducted or where that person
7 is found, resides, or transacts business. Any failure
8 to obey the order of the court may be punished by
9 the court as civil contempt.

10 (3) SERVICE OF SUBPOENAS.—The subpoenas
11 of the Commission shall be served in the manner
12 provided for subpoenas issued by a United States
13 district court under the Federal Rules of Civil Pro-
14 cedure for the United States district courts.

15 (h) CONTRACT AUTHORITY.—The Commission may
16 contract with and compensate government and private
17 agencies or persons for supplies or services, without regard
18 to section 3709 of the Revised Statutes (41 U.S.C. 5).

19 **SEC. 8. REPORT OF COMMISSION.**

20 Not later than 1 year after the date on which all
21 original members have been appointed to the Commission,
22 the Commission shall transmit to the President and Con-
23 gress a report that contains a detailed statement of the
24 findings and recommendations of the Commission made
25 pursuant to section 4.

1 **SEC. 9. TERMINATION OF COMMISSION.**

2 (a) **TERMINATION.**—The Commission shall terminate
3 60 days after the date of submission of the report pursu-
4 ant to section 8.

5 (b) **ADMINISTRATIVE ACTIVITIES BEFORE TERMI-**
6 **NATION.**—The Commission may use the 60-day period re-
7 ferred to in paragraph (a) for the purpose of concluding
8 its activities, including providing testimony to committees
9 of Congress concerning its reports and disseminating the
10 second report.

11 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) **IN GENERAL.**—There are authorized to be appro-
13 priated \$2,000,000 for fiscal year 2012 for use in the de-
14 velopment and implementation of plans under this Act.

15 (b) **AVAILABILITY.**—Amounts authorized to be appro-
16 priated by subsection (a) are authorized to remain avail-
17 able until expended.

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