

118TH CONGRESS
1ST SESSION

H. R. 5742

To amend the Fair Labor Standards Act of 1938 to provide that tasks and services performed by certain individuals in postsecondary vocational institutions not be treated as employment.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2023

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

A BILL

To amend the Fair Labor Standards Act of 1938 to provide that tasks and services performed by certain individuals in postsecondary vocational institutions not be treated as employment.

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 “Training Assignments
5 for Student Knowledge Act” or the “TASK Act”.

1 **SEC. 2. TREATMENT OF VOCATIONAL STUDENTS.**

2 Section 3(e) of the Fair Labor Standards Act of 1938
3 (29 U.S.C. 203(e)) is amended by adding at the end the
4 following:

5 “(6) The term ‘employee’ does not include any
6 individual who performs tasks and services required
7 by a postsecondary vocational institution (as defined
8 in section 102(c) of the Higher Education Act of
9 1965 (20 U.S.C. 1002(c)) to obtain a recognized
10 postsecondary credential (as defined in section 3 of
11 the Workforce Innovation and Opportunity Act (29
12 U.S.C. 3102)).”.

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