

**AMENDMENT TO RULES COMMITTEE PRINT OF
H.R. 4909
OFFERED BY MR. ELLISON OF MINNESOTA**

At the end of title VIII, insert the following new subtitle:

1 **Subtitle E—Model Employer**
2 **Program for Contractors**

3 **SEC. 851. SHORT TITLE AND PURPOSES.**

4 (a) **SHORT TITLE.**—This subtitle may be cited as the
5 “Department of Defense Model Employer Act of 2016”.

6 (b) **PURPOSES.**—The purposes of this subtitle are to
7 use the purchasing power of the Department of Defense
8 to incentivize private-sector firms—

9 (1) to create good jobs for America’s workers;

10 (2) to rebuild the America’s middle class;

11 (3) to address America’s crisis of income in-
12 equality; and

13 (4) to invigorate the economy by increasing the
14 purchasing power of working Americans.

15 **SEC. 852. MODEL EMPLOYER STANDARDS AND REGULA-**
16 **TIONS.**

17 For purposes of this subtitle, a model employer is one
18 which—

1 (1) respects its employees' rights to bargain col-
2 lectively without being forced to take strike action to
3 win better wages and working conditions; and

4 (2) offers to each of its employee a wage of no
5 less than \$15 per hour, adjusted for inflation and,
6 as specified in regulations to be promulgated by the
7 Secretary of Defense with 90 days of the effective
8 date of this Act, decent benefits including health
9 care, paid leave for sickness and caregiving, as well
10 as predictable and stable work schedules.

11 **SEC. 853. APPLICATION TO FEDERAL CONTRACTS AND AS-**
12 **SISTANCE.**

13 (a) AMOUNT OF CONTRACTS OR SUBCONTRACTS,
14 PROVISION FOR CONDUCT AS MODEL EMPLOYER, REGU-
15 LATIONS.—Any contract in excess of \$10,000 entered into
16 by any agency or instrumentality of the Department of
17 Defense for the procurement of personal property and
18 nonpersonal services (including construction) for the
19 United States, or for the use of Federal property within
20 the United States shall contain a provision requiring that
21 the party contracting with the Department of Defense
22 shall conduct itself as a model employer for the duration
23 of the contract. The provisions of this section shall apply
24 to any subcontract in excess of \$10,000 entered into by
25 a prime contractor in carrying out any contract covered

1 by this section. The Secretary of Defense shall implement
2 the provisions of this section by promulgating regulations
3 within ninety days after the effective date of this Act and
4 shall ensure that these regulations are coordinated with
5 those issued by the Secretary of Labor, regarding non-
6 discrimination employment and affirmative action in em-
7 ployment by contractors with the United States.

8 (b) ADMINISTRATIVE ENFORCEMENT, COMPLAINTS,
9 INVESTIGATIONS, AND DEPARTMENTAL ACTION.—If any
10 individual or person believes any contractor has failed or
11 refused to comply with the provisions of a contract with
12 the Department of Defense, relating to its conduct as a
13 model employer, such individual or person may file a com-
14 plaint with the Department of Defense. The Department
15 shall promptly investigate such complaint and shall take
16 such action thereon as the facts and circumstances war-
17 rant, consistent with the terms of such contract and the
18 laws and regulations applicable thereto. The Department
19 may delegate its obligations under this section to the De-
20 partment of Labor.

21 (c) WAIVER BY THE SECRETARY OF DEFENSE.—The
22 requirements of this section may be waived, in whole or
23 in part, by the Secretary of Defense with respect to a par-
24 ticular contract or subcontract, when the Secretary of De-
25 fense determines that special circumstances in the na-

1 tional interest so require and states in writing the reasons
2 for such determination. The Secretary of Defense shall
3 promulgate regulations within 90 days of the effective date
4 of this Act that set forth the standards and procedures
5 used for granting such a waiver. Such regulations shall
6 maximize public accountability and transparency.

