

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2270  
OFFERED BY MR. MESSMER OF INDIANA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Empowering Employer  
3 Child and Elder Care Solutions Act”.

**4 SEC. 2. EXCLUSION OF CHILD AND DEPENDENT CARE IN  
5                    COMPUTING OVERTIME COMPENSATION.**

6       (a) IN GENERAL.—Section 7(e) of the Fair Labor  
7 Standards Act of 1938 (29 U.S.C. 207(e)) is amended—

8               (1) in paragraph (2), by inserting “payments or  
9 reimbursements for child or dependent care serv-  
10 ices;” after “by the employer;”;

11              (2) in paragraph (7), by striking “or” at the  
12 end;

13              (3) in paragraph (8)(D)(ii), by striking the pe-  
14 riod at the end and inserting “; or”; and

15              (4) by adding at the end the following:

16               “(9) the value of any child or dependent care  
17 services provided by an employer.”.

1           (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall apply with respect to overtime com-  
3 pensation required to be paid for workweeks beginning on  
4 or after the date of enactment of this Act.

