

116TH CONGRESS
1ST SESSION

H. R. 134

To protect unpaid interns from workplace harassment and discrimination.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. CUMMINGS (for himself, Ms. MENG, Mr. SCOTT of Virginia, and Ms. NOR-
TON) introduced the following bill; which was referred to the Committee
on Education and Labor

A BILL

To protect unpaid interns from workplace harassment and
discrimination.

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 “Unpaid Intern Protec-
5 tion Act of 2019”.

6 **SEC. 2. UNLAWFUL DISCRIMINATION AGAINST INTERNS.**

7 It shall be unlawful for an employer to discriminate
8 against an intern on the basis of—

9 (1) race, color, religion, sex, national origin, or
10 age, or

1 (2) disability if such intern is a qualified indi-
2 vidual with a disability.

3 **SEC. 3. PROCEDURES.**

4 The procedures applicable to a claim for a violation
5 of this Act are—

6 (1) with respect to alleged discrimination based
7 on race, color, religion, sex, or national origin, the
8 procedures applicable for a claim for a violation of
9 title VII of the Civil Rights Act of 1964 (42 U.S.C.
10 2000e et seq.),

11 (2) with respect to alleged discrimination based
12 on age, the procedures applicable for a violation of
13 Age Discrimination in Employment Act of 1967 (29
14 U.S.C. 621 et seq.), and

15 (3) with respect to alleged discrimination based
16 on a disability, the procedures applicable for a viola-
17 tion of the Americans with Disabilities Act of 1990
18 (42 U.S.C. 12111 et seq.).

19 **SEC. 4. REMEDIES.**

20 The district courts of the United States shall have
21 jurisdiction to grant such legal and equitable relief as may
22 be appropriate for a violation of this Act.

23 **SEC. 5. STATE IMMUNITY.**

24 A State shall not be immune under the eleventh arti-
25 cle of amendment to the Constitution of the United States

1 from an action in a court of the United States for a viola-
2 tion of this Act. In an action against a State for a violation
3 of this Act, remedies (including remedies at law and in
4 equity) are available for the violation to the same extent
5 as such remedies are available in an action against any
6 public or private entity other than a State.

7 **SEC. 6. DEFINITIONS.**

8 For purposes of this Act:

9 (1) **DISABILITY.**—The term “disability” has the
10 meaning given such term as applied in the Ameri-
11 cans with Disabilities Act of 1990 (42 U.S.C. 12101
12 et seq.).

13 (2) **EMPLOYER.**—The term “employer” has the
14 meaning given such term in—

15 (A) section 701 of the Civil Rights Act of
16 1964 (42 U.S.C. 2000e) with respect to dis-
17 crimination based on race, color, religion, sex,
18 or national origin,

19 (B) section 11 of the Age Discrimination
20 in Employment Act of 1967 (29 U.S.C. 630)
21 with respect to discrimination based on age,
22 and

23 (C) section 101 of the Americans with Dis-
24 abilities Act of 1990 (42 U.S.C. 12111) with
25 respect to discrimination based on disability.

1 (3) INTERN.—The term “intern” means an in-
2 dividual who performs uncompensated voluntary
3 service for an employer, to earn credit awarded by
4 an educational institution or to learn a trade or oc-
5 cupation.

6 (4) QUALIFIED INDIVIDUAL WITH A DIS-
7 ABILITY.—The term “qualified individual with a dis-
8 ability” has the meaning given such term in section
9 101 of the Americans with Disabilities Act of 1990
10 (42 U.S.C. 12111).

11 (5) STATE.—The term “State” has the mean-
12 ing given such term in—

13 (A) section 701 of the Civil Rights Act of
14 1964 (42 U.S.C. 2000e) with respect to dis-
15 crimination based on race, color, religion, sex,
16 or national origin,

17 (B) section 11 of the Age Discrimination
18 in Employment Act of 1967 (29 U.S.C. 630)
19 with respect to discrimination based on age, or

20 (C) section 4 of the Americans with Dis-
21 abilities Act of 1990 (42 U.S.C. 12103) with
22 respect to discrimination based on disability.

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