

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 582  
OFFERED BY MR. SMUCKER**

Redesignate sections 7 and 8 as sections 8 and 9,  
respectively.

Page 1, line 10, page 3, line 21, and page 6, line  
13, strike "section 7" and insert "section 8".

After section 6, insert the following:

**1 SEC. 7. FAIRNESS FOR UNION WORKERS.**

2 Section 18 of the Fair Labor Standards Act of 1938  
3 (29 U.S.C. 201 et seq.) is amended by adding at the end  
4 the following:

5 "(c) Notwithstanding any other provision of law, no  
6 State or municipality may adopt a law or municipal ordi-  
7 nance establishing a minimum wage requirement if an em-  
8 ployer is exempt from such requirement with respect to  
9 the payment of an employee on the basis that such em-  
10 ployee is covered by a bona fide collective bargaining  
11 agreement."

