

## MOTION TO RECOMMIT

Mr. Kline moves to recommit the bill, H.R. 5851, to the Committee on Education and Labor with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Whistleblower Parity  
3 Act”.

4 **SEC. 2. WHISTLEBLOWER PROTECTION FOR CERTAIN OFF-  
5 SHORE WORKERS.**

6 (a) PROHIBITION ON RETALIATION.—No person shall  
7 discharge or in any manner discriminate against any cov-  
8 ered employee because such covered employee has filed any  
9 complaint or instituted or caused to be instituted any pro-  
10 ceeding related to any workplace safety and health regula-  
11 tion issued pursuant to section 21 of the Outer Conti-  
12 nental Shelf Lands Act (43 U.S.C. 1347) or has testified  
13 or is about to testify in any such proceeding or because  
14 of the exercise by such covered employee on behalf of him-  
15 self or herself or others of any right afforded by such Act.

1 (b) COMPLAINT PROCEDURE.—Any covered employee  
2 who believes that he or she has been discharged or other-  
3 wise discriminated against by any person in violation of  
4 this section may, within 30 days after such violation oc-  
5 curs, file a complaint with the Secretary alleging such dis-  
6 crimination. Upon receipt of such complaint, the Secretary  
7 shall cause such investigation to be made as the Secretary  
8 determines appropriate. If upon such investigation, the  
9 Secretary determines that the provisions of this section  
10 have been violated, the Secretary shall bring an action in  
11 any appropriate United States district court against such  
12 person. In any such action the United States district  
13 courts shall have jurisdiction, for cause shown to restrain  
14 violations of subsection (a) of this subsection and order  
15 all appropriate relief including rehiring or reinstatement  
16 of the employee to his or her former position with back  
17 pay.

18 (c) NOTIFICATION.—Within 90 days of the receipt of  
19 a complaint filed under this section the Secretary shall no-  
20 tify the complainant of the Secretary's determination  
21 under subsection (b) of this section.

22 **SEC. 3. DEFINITIONS.**

23 As used in this Act—

24 (1) the term “covered employee” means an indi-  
25 vidual engaged in activities on or in waters above the

1 Outer Continental Shelf related to supporting or  
2 carrying out exploration, development, production,  
3 processing, or transportation of oil on behalf of an  
4 employer;

5 (2) the term “employer” has the meaning given  
6 such term in section 3 of the Occupational Safety  
7 and Health Act of 1970 (29 U.S.C. 652);

8 (3) the term “Outer Continental Shelf” has the  
9 meaning that the term “outer Continental Shelf”  
10 has in section 2 of the Outer Continental Shelf  
11 Lands Act (43 U.S.C. 1331); and

12 (4) the term “Secretary” means the Secretary  
13 of Labor.

14 **SEC. 4. CONSTRUCTION.**

15 Nothing in this Act shall be construed to affect any  
16 rights, protections, or remedies available to covered em-  
17 ployees under section 2114 of title 46, United States Code.

