

the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) of this section except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

**(3) Irregular work schedules**

The Board shall issue regulations for covered employees whose work schedules directly depend on the schedule of the House of Representatives or the Senate that shall be comparable to the provisions in the Fair Labor Standards Act of 1938 [29 U.S.C. 201 et seq.] that apply to employees who have irregular work schedules.

**(4) Law enforcement**

Law enforcement personnel of the Capitol Police who are subject to the exemption under section 7(k) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(k)) may elect to receive compensatory time off in lieu of overtime compensation for hours worked in excess of the maximum for their work period.

**(d) Omitted**

**(e) Effective date**

Subsections (a) and (b) of this section shall be effective 1 year after January 23, 1995.

(Pub. L. 104-1, title II, §203, Jan. 23, 1995, 109 Stat. 10; Pub. L. 104-197, title III, §312, Sept. 16, 1996, 110 Stat. 2415.)

REFERENCES IN TEXT

The Fair Labor Standards Act of 1938, referred to in subsec. (c)(3), is act June 25, 1938, ch. 676, 52 Stat. 1060, as amended, which is classified generally to chapter 8 (§201 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see section 201 of Title 29 and Tables.

CODIFICATION

Section is comprised of section 203 of Pub. L. 104-1. Subsec. (d) of section 203 of Pub. L. 104-1 amended section 203 of Title 29, Labor.

AMENDMENTS

1996—Subsec. (a)(3). Pub. L. 104-197, §312(a), inserted “and in subsection (c)(4) of this section” after “subsection (c)(3) of this section”.

Subsec. (c)(4). Pub. L. 104-197, §312(b), added par. (4).

**§ 1314. Rights and protections under Employee Polygraph Protection Act of 1988**

**(a) Polygraph practices prohibited**

**(1) In general**

No employing office, irrespective of whether a covered employee works in that employing office, may require a covered employee to take a lie detector test where such a test would be prohibited if required by an employer under paragraph (1), (2), or (3) of section 3 of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2002(1), (2), or (3)). In addition, the waiver provisions of section 6(d) of such Act (29 U.S.C. 2005(d)) shall apply to covered employees.

**(2) Definitions**

For purposes of this section, the term “covered employee” shall include employees of the Government Accountability Office and the Library of Congress and the term “employing office” shall include the Government Accountability Office and the Library of Congress.

**(3) Capitol Police**

Nothing in this section shall preclude the Capitol Police from using lie detector tests in accordance with regulations under subsection (c) of this section.

**(b) Remedy**

The remedy for a violation of subsection (a) of this section shall be such remedy as would be appropriate if awarded under section 6(c)(1) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2005(c)(1)).

**(c) Regulations to implement section**

**(1) In general**

The Board shall, pursuant to section 1384 of this title, issue regulations to implement this section.

**(2) Agency regulations**

The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsections (a) and (b) of this section except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

**(d) Effective date**

**(1) In general**

Except as provided in paragraph (2), subsections (a) and (b) of this section shall be effective 1 year after January 23, 1995.

**(2) Government Accountability Office and Library of Congress**

This section shall be effective with respect to the Government Accountability Office and the Library of Congress 1 year after transmission to the Congress of the study under section 1371 of this title.

(Pub. L. 104-1, title II, §204, Jan. 23, 1995, 109 Stat. 10; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

AMENDMENTS

2004—Subsec. (a)(2). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in two places.

Subsec. (d)(2). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in heading and text.

**§ 1315. Rights and protections under Worker Adjustment and Retraining Notification Act**

**(a) Worker adjustment and retraining notification rights**

**(1) In general**

No employing office shall be closed or a mass layoff ordered within the meaning of sec-