117TH CONGRESS
1ST SESSION

S. _____

To amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee.

IN THE SENATE OF THE UNITED STATES

Mr. CASEY (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. BROWN, Mr. MENENDEZ, Ms. STABENOW, Mr. BENNET, Ms. CORTEZ MASTO, Mr. WHITEHOUSE, Ms. WARREN, Ms. SMITH, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MERKLEY, Mrs. GILLIBRAND, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tax Fairness for Workers Act''.

SEC. 2. ALLOWANCE OF DEDUCTION FOR CERTAIN EXPENSES OF THE TRADE OR BUSINESS OF BEING AN EMPLOYEE.

(a) ABOVE-THE-LINE DEDUCTION FOR UNION DUES AND EXPENSES.—Section 62(a)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''The limitation under the preceding sentence shall not apply to deductions which are attributable to a trade or business consisting of the performance of services by the taxpayer as an employee if such deductions are for union dues and expenses.''

(b) ALLOWANCE OF MISCELLANEOUS ITEMIZED DEDUCTION FOR OTHER EXPENSES OF THE TRADE OR BUSINESS OF BEING AN EMPLOYEE.—Section 67(g) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''2025.—Notwithstanding subsection (a),'' and inserting ''2025.—

''(1) IN GENERAL.—Notwithstanding subsection (a), except as provided in paragraph (2),''; and

(2) by adding at the end the following:

''(2) EXCEPTION FOR EXPENSES OF THE TRADE OR BUSINESS OF BEING AN EMPLOYEE.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to miscellaneous itemized deductions for any taxable year which are itemized deductions attributable to a trade or business carried

on by the taxpayer which consists of the performance of services by the taxpayer as an employee.

''(B) APPLICATION OF 2-PERCENT TEST.—In applying subsection (a) for any taxable year to which this paragraph applies, only the itemized deductions described in subparagraph (A) shall be taken into account as miscellaneous itemized deductions.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.