

April 16, 2013

Chairman John Kline (R-MN)
Committee on Education and the Workforce
2181 Rayburn House Office Building
Washington, D.C. 20515

Ranking Member George Miller (D-CA)
Committee on Education and the Workforce
2101 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Kline and Ranking Member Miller:

The undersigned organizations write in strong support of H.R. 1406, the Working Families Flexibility Act of 2013 and urge the Committee on Education and the Workforce to advance this legislation to the full House of Representatives.

Today, employees face significant challenges as they negotiate work, family and personal obligations. As a result, employers are increasingly interested in offering workplace flexibility options to help employees address their work-life needs. Unfortunately, rigid, out of date, wage and hour laws currently prohibit private sector employers from offering non-exempt employees the option of paid time off in lieu of overtime payments, even though this option has existed in the public sector for more than 25 years. H.R. 1406 would simply extend to the private sector a benefit that has long been enjoyed by government employees.

The Working Families Flexibility Act would allow employers to offer employees the **voluntary** choice of taking overtime in cash payments, as they do today, or in the form of paid time off from work. Providing this comp time option would allow employees the opportunity to build a bank of time that they can use to take paid time off when they need it, provided the time off does not unduly disrupt the business operations of the employer.

The bill also includes numerous employee protections for workers who choose to participate in a comp time program. Employees who reconsider and decide that they prefer to receive their overtime compensation in cash can have their hours converted to a payment whenever they wish, and any banked comp time hours not used at the end of the year are automatically paid out to the employee in cash.

Now, more than ever, employees seek greater control over their time. The Working Families Flexibility Act would give employees more control over their time by giving them the option of paid time off in lieu of overtime payments. At the hearing in the Subcommittee on Workforce Protections on April 11, both employers and employees made clear that they wish comp time, which is frequently used in the public sector, was available for the private sector as well.

We urge you to support H.R.1406 to give employers and employees another workplace flexibility option.

Sincerely,

American Hotel & Lodging Association
Associated Builders and Contractors
Associated General Contractors
College and University Professional Association for Human Resources
Food Marketing Institute
Independent Electrical Contractors
International Foodservice Distributors Association
International Franchise Association
National Association of Manufacturers
National Association of Wholesaler-Distributors
National Council of Chain Restaurants
National Federation of Independent Business
National Retail Federation
National Roofing Contractors Association
Printing Industries of America
Retail Industry Leaders Association
Society for Human Resource Management
U.S. Chamber of Commerce

CC: Members of the Committee on Education and the Workforce