



April 25, 2017

The Honorable Virginia Foxx  
The Honorable Robert C. Scott  
Education and the Workforce Committee  
U.S. House of Representatives  
Washington, DC

**Re: Compensatory Time Bill (H.R. 1406) is Bad Policy**

Dear Chairwoman Foxx and Ranking Member Scott:

I write on behalf of the National Employment Law Project (NELP) to urge you to vote against the misnamed “Working Families Flexibility Act of 2017” (H.R. 1180), a proposal that would undermine the core principles of the Fair Labor Standards Act (FLSA)’s overtime protections. The FLSA gave our country the 40-hour workweek, requiring employers to pay a premium to employees working more than 40 hours in a week. H.R. 1180 would create an incentive for employers to demand more overtime work by not requiring premium pay for that extra work. This is the opposite of the family flexibility sorely needed by our nation’s workers. Moreover, diluting the overtime pay requirement undermines another important goal of premium pay, i.e., encouraging more hiring. The last think that Congress should be doing is undermining job creation.

[Wage theft](#) is a major problem for low-wage workers. This bill would add to the problem by making it easier for employers to avoid overtime compensation obligations. Far from guaranteeing that workers can use the comp time they’ve earned when they need it most, this bill makes work less flexible for employees. Nothing in current law prohibits employers from offering family-friendly schedules now, as many employers practice now, and nothing in current law prohibits employers from providing unpaid leave to employees who work a lot of overtime and want more time off. But current law also requires that those same employees be paid fairly for their overtime hours.

If Congress were serious about enacting policies that would help workers balance their family and work obligations, it would pass the Healthy Families Act, The Schedules that Work Act, and the Family and Medical Insurance Leave (FAMILY) Act. Furthermore, it would substantially raise the minimum wage so that workers could support themselves and their families on one job rather than the multiple jobs so many low-wage workers are forced to hold, and it would

strengthen overtime protections by codifying the Obama Administration's overtime regulations. These would be truly family-friendly policy reforms, and would improve the lives of millions of workers throughout the nation.

We urge the Committee to reject the Working Families Flexibility Act of 2017 and instead, concentrate on the kinds of policies that working families really need to get by in today's economy.

Very truly yours,

A handwritten signature in cursive script that reads "Christine L. Owens". The signature is written in black ink and is positioned to the right of the typed name.

Christine L. Owens  
Executive Director