



April 27, 2017

The Honorable David Joyce
U.S. House of Representatives
Washington, DC 20515

Re: Opposition to the Working Families Flexibility Act (H.R. 1180)

Dear Representative Joyce,

On behalf of the Ohio Women's Public Policy Network, a coalition of 25 advocacy organizations focused on advancing policies that create economic security for women and strengthen families, I am writing to express our opposition to the Working Families Flexibility Act (H.R. 1180), introduced by Rep. Martha Roby (R-AL).

With over two-thirds of working women in Ohio as the sole, primary, or co-bread winners in their households, women's wages are critical to the economic security of Ohio families. However, H.R. 1180 would be extremely harmful for working families. This is especially true for women and people of color – many of them single mothers – who disproportionately make up the low-wage workforce and would lose scheduling flexibility.

H.R. 1180, the so-called Working Families Flexibility Act, would amend the Fair Labor Standards Act to allow employers to offer workers paid time off - known as comp time - in lieu of time-and-a-half pay for working overtime, but without a guaranteed right to use that time off when they need it. Described by supporters as giving workers more flexibility over schedules, this bill actually creates a false choice between overtime pay now and paid time off in the future.

Although the bill is framed as giving more flexibility for workers to spend time with their family by choosing comp time, it ultimately places a workers' ability to take their earned time off in the hands of their employers. Under the bill, supervisors can deny a worker's request to use paid time off they've earned, even in the case of a personal or family emergency. H.R. 1180 would jeopardize a worker's ability to save comp time for planned events, like parental leave or a medical surgery, by allowing employers to unilaterally decide to cash workers out for comp time that has been banked beyond 80 hours.

Many low-wage earners work paycheck to paycheck and struggle to make ends meet for themselves and their families. This bill creates a new right for employers to delay paying overtime wages for as long as 13 months and could make it more difficult for workers who need to work extra hours to pay bills.

H.R. 1180 does nothing to address the issue of mandatory overtime. Instead, it eliminates a financial disincentive to employers to assign excess work by providing an alternative to paying time-and-a-half. To further save money, employers may penalize workers who do not choose



comp time with reduced hours. The bill could also lead employers to rely upon the less costly option of providing comp time for overtime hours, rather than hiring additional workers.

Further, while H.R. 1180 gives workers the right to sue if they are intimidated, threatened or coerced into requesting or not requesting comp time for overtime hours, they are not permitted to use more cost-effective administrative remedies through the U.S. Department of Labor (DOL). Despite the further complexities added to the Fair Labor Standards Act under this bill, no additional funding is provided to the DOL for investigation, enforcement, or education.

As a coalition that represents tens of thousands of women and families across the state, we are dedicated to advancing policies that help working women meet dual demands at work and home, without sacrificing economic security. H.R. 1180 is not the kind of family-friendly workplace policy that working families need and would only take us in the wrong direction.

We strongly urge you to oppose the Working Families Flexibility Act (H.R. 1180), and instead ask that you stand up for working families by supporting real commonsense, family-friendly solutions, such as the Family and Medical Leave Insurance (FAMILY) Act (H.R. 947), which would create a national family and medical leave insurance program. Please contact Erin Ryan at (440) 382-2900 or ryan@innovationohio.org if you have any questions.

Sincerely,

Erin Ryan

Coalition Manager
Ohio Women's Public Policy Network