



May 2, 2017

Dear Representative:

On behalf of the 125,000 members of the Transportation Division of the International Association of Sheet Metal Air Rail and Transportation Workers (SMART TD), I am writing to urge you to oppose the **Working Families Flexibility Act (H.R. 1180)**, which would weaken overtime protections under the Fair Labor Standards Act (FLSA).

As you may know, the FLSA of 1938 established the 40-hour workweek to create more employment opportunities for unemployed Americans. FLSA's only incentive to uphold the 40-hour workweek is the requirement that employers pay a time-and-a-half cash premium for overtime work. Overtime pay requirements discourage employers from demanding excessive hours by making overtime work more expensive for them. Because of the cost of fringe benefits, the time-and-a-half pay premium is not the deterrent it once was. For that reason, Congress should raise the premium for working over 40 hours to double time.

H.R. 1180 would *encourage* employers to demand excessive hours by making overtime work cheaper for them by allowing employers to pay workers *nothing at all* for overtime work and instead allow employers to schedule compensatory time off at their own convenience. This results in longer hours and more unpredictable work schedules for many hardworking Americans.

Furthermore, H.R. 1180 would dramatically reduce take-home pay for millions of workers who are compensated with time off rather than cash. These workers would no longer receive a pay bump as a result of their overtime work but instead are awarded comp time. Moreover, workers who change jobs will routinely be cheated out of their rightful pay.

The so-called "Working Families Flexibility Act" provides a tremendous opportunity for employers to cheat their employees out of their rightful pay for their hard earned work. The FLSA already allows employers to arrange any kind of flexible work schedules they want. Any time off that workers could receive under H.R. 1180 could already be given—as paid or unpaid leave—under current law. **For these reasons, we urge you to urge you to oppose the Working Families Flexibility Act (H.R. 1180).**

Sincerely,

A handwritten signature in black ink, appearing to read "John Risch". The signature is written in a cursive style and is positioned above the printed name.

John Risch
National Legislative Director
SMART Transportation Division