



PARTNERSHIP TO PROTECT
WORKPLACE OPPORTUNITY

October 14, 2016

The Honorable Lamar Alexander
Chairman, Senate Committee on Health, Education, Labor and Pensions
United States Senate
835 Senate Hart Office Building
Washington, D.C. 20510

Dear Chairman Alexander:

On behalf of the Partnership to Protect Workplace Opportunity (the Partnership or PPWO) and the undersigned 407 national, state and local organizations representing small and large businesses, nonprofits, institutions of higher education, schools, cities and counties, we write in strong support of S. 3464, the Overtime Reform and Review Act. We thank you for your leadership in introducing this important legislation that will provide employers and employees significant relief from the negative impacts of the Department of Labor's (DOL) final overtime rule, and for your consistent advocacy in opposing this regulation.

The Partnership consists of a diverse group of associations, representing employers with millions of employees across the country in almost every industry (see <http://protectingopportunity.org>). The Partnership's members believe that employees and employers alike are best served with a system that promotes maximum flexibility in structuring employee hours, career advancement opportunities for employees, and clarity for employers when classifying employees.

While a responsible increase to the salary threshold is due, the DOL's drastic increase of more than 100 percent to the salary threshold is too much, too fast, and will have a disproportionate impact on a wide variety of industries, sectors, and geographic areas of the country. Equally problematic is that the final rule allows for the salary threshold to be automatically updated every three years, irrespective of economic conditions and without the input of impacted stakeholders. As a result, small and large businesses, nonprofits, local governments, and academic institutions have all made clear the severe problems the final overtime rule will have on their organizations, employees, students, and communities and clients served.

Given the widespread challenges this regulation will impose on employers and their employees, the PPWO welcomes the introduction of S. 3464. This reasonable legislation would phase-in the DOL's new salary threshold in four stages over five years, starting with a substantial salary threshold increase to approximately \$36,000 on December 1, 2016, followed by a "pause year" in 2017 to allow employers to review and adjust for the consequences of this new rule. Further increases to the salary level would occur annually thereafter, until reaching the final rule's new threshold of \$47,476 on December 1, 2020. Equally important is that the bill prohibits the final rule's automatic increases to the salary threshold, yet allows the DOL to propose changes to overtime regulations in the future through the customary notice and comment process.

In addition, S. 3464 recognizes the impact the new regulation will have on the most vulnerable employers. The bill specifies that increases after 2016 will not go into effect for nonprofits, colleges and universities, Medicare and Medicaid dependent health care providers, and state and local governments unless the Administration can certify that the 2016 increase did not negatively impact these organizations.

The PPWO strongly supports the comprehensive approach this bill takes in blocking the worst impacts of the overtime regulation from taking effect. We look forward to working with you and other congressional leaders to promptly advance this legislation and prevent the significant negative impact this final overtime rule will have on both employers and employees. Thank you again for your leadership.

Sincerely,

The Partnership to Protect Workplace Opportunity and the following organizations:

National Organizations

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| 4A's - American Association of Advertising Agencies | Coalition of Franchisee Associations |
| ACCA- The Indoor Environment & Energy Efficiency Association | College and University Professional Association for Human Resources |
| Aerospace Industries Association | Convenience Distribution Association |
| Agricultural Retailers Association | Door and Hardware Institute |
| American Bakers Association | Equipment Dealers Association |
| American Bankers Association | Food Marketing Institute |
| American Car Rental Association | Franchise Business Services |
| American Frozen Food Institute | Global Cold Chain Alliance |
| American Hotel & Lodging Association | Heating, Air-Conditioning & Refrigeration Distributors International (HARDI) |
| American Institute of CPAs | HR Policy Association |
| American Insurance Association | INDA, Association of the Nonwoven Fabrics Industry |
| American Moving & Storage Association | Independent Electrical Contractors, Inc. |
| American Rental Association | Independent Insurance Agents & Brokers of America |
| American Society of Association Executives | Independent Office Products & Furniture Dealers Association |
| American Society of Travel Agents | International Association of Amusement Parks and Attractions |
| American Staffing Association | International Festivals & Events Association (IFEA World) |
| American Subcontractors Association, Inc. | International Foodservice Distributors Association |
| American Supply Association | International Health, Racquet and Sportsclub Association |
| American Trucking Associations | International Public Management Association for Human Resources |
| AmericanHort | International Warehouse Logistics Association |
| Amusement & Music Operators Association | IPC - Association Connecting Electronics Industries |
| ARCSI, Association of Residential Cleaning Services International | ISSA, the Worldwide Cleaning Industry Association |
| Argentum-Expanding Senior Living | IT Alliance for Public Sector |
| Asian American Hotel Owners Association | Job Creators Network |
| Associated Builders & Contractors | KC Electric Systems Inc |
| Associated General Contractors | Marine Retailers Association of the Americas |
| Association of Kentucky Fried Chicken Franchisees | Motor & Equipment Manufacturers Association |
| Association of Residential Cleaning Services International | National Alliance of State Broadcasters Association |
| Association of School Business Officials International (ASBO) | National Association of Convenience Stores |
| Auto Care Association | National Apartment Association |
| Blue Roof Franchisee Association (IHOP franchisees) | National Association for the Self-Employed |
| Building Service Contractors Association International (BSCAI) | National Association of Broadcasters |
| Business Roundtable | |
| CAWA – Representing the Automotive Parts Industry | |

National Association of Chemical Distributors
National Association of College Stores (NACS)
National Association of Electrical Distributors
National Association of Home Builders
National Association of Landscape Professionals
National Association of Manufacturers
National Association of Professional Insurance Agents
National Association of Sporting Goods Wholesalers
National Association of Wholesaler-Distributors
National Automobile Dealers Association
National Beer Wholesalers Association
National Cattlemen's Beef Association
National Christmas Tree Association
National Club Association
National Cotton Council
National Council of Chain Restaurants
National Council of Farmer Cooperatives
National Electrical Manufacturers Representatives Association
National Federation of Independent Business
National Franchisee Association
National Grocers Association
National Lumber and Building Material Dealers Association
National Marine Distributors Association
National Multifamily Housing Council
National Newspaper Association
National Office Products Alliance
National Pest Management Association
National Ready Mixed Concrete Association
National Restaurant Association
National Retail Federation
National Roofing Contractors Association
National RV Dealers Association
National School Boards Association
National School Transportation Association

National Small Business Association
National Sporting Goods Association
National Tooling & Machining Association
NATSO, Representing America's Travel Plazas and Truckstops
News Media Alliance
North American Die Casting Association
NPES The Association for Suppliers of Printing, Publishing and Converting Technologies
Office Furniture Dealers Alliance
Outdoor Amusement Business Association, Inc.
Outdoor Power Equipment and Engine Service Association
Pet Industry Distributors Association
Petroleum Marketers Association of America
Precision Machined Products Association
Precision Metalforming Association
Promotional Products Association International
Retail Industry Leaders Association (RILA)
Saturation Mailers Coalition
Secondary Materials and Recycled Textiles Association
Small Business & Entrepreneurship Council
Small Business Council of America
SNAC International
Society for Human Resource Management
Society of American Florists
Specialty Tools & Fasteners Distributors Association
SPI: The Plastics Industry Trade Association
Textile Care Allied Trades Association
Textile Rental Services Association
The Latino Coalition
U.S. Chamber of Commerce
Water & Sewer Distributors of America
Wine & Spirits Wholesalers of America
WorldatWork

Regional, State, Local Organizations

21st Century Equipment, LLC
Alabama Broadcasters Association
Alabama Nursery & Landscape Association
Alabama Retail Association
Alabama SHRM State Council
Alaska SHRM State Council
Albany (OR) Area Chamber of Commerce
Amatics CPA Group
Alliance of Automotive Service Providers of Missouri (AASP-Missouri)
Apple Athletic Club
Argentum South Carolina Chapter
Arkansas Broadcasters Association
Arizona Assisted Living Federation of America
Arizona Broadcasters Association
Arizona Nursery Association

Arizona Retailers Association
Arizona SHRM State Council
Arkansas SHRM State Council, Inc.
Association of Washington Business
Associated Oregon Industries Retail Council
Atlanta Chapter Independent Electrical Contractors, Inc
Automotive Aftermarket Association of the Carolinas and Tennessee, Inc.
Beaverton Area Chamber of Commerce
Belgrade Chamber of Commerce
BioScience Laboratories, Inc.
Boise Metro Chamber of Commerce
Boldt Carlisle + Smith
Bozeman Area Chamber of Commerce
Butler County Chamber of Commerce
California Assisted Living Association

California Association of Nurseries & Garden Centers
California Broadcasters Association
California Retailers Association
California State Council of SHRM
Campbell County Chamber of Commerce
Catering Creations by Toni
CenTex Independent Electrical Contractors
Central Indiana IEC, Inc.
Central Pennsylvania Chapter Independent Electrical Contractors
Chamber of Medford/Jackson County
Chicago Southland Chamber of Commerce
Coeur d Alene Chamber of Commerce
Colorado Broadcasters Association
Colorado Nursery & Greenhouse
Colorado Retail Council
Colorado SHRM State Council
Connecticut Broadcasters Association
Connecticut Retail Merchants Association
Connecticut SHRM State Council
Crowley Chamber of Commerce
CTEC AG
Dalles Area Chamber of Commerce
Delaware SHRM State Council
Eau Claire Area Chamber of Commerce
Express Services Inc.
Family Allergy & Asthma Care of Montana
Far West Equipment Dealers Association
Florida Argentum
Florida Association of Broadcasters
Florida Chamber of Commerce
Florida Grocers Association
Florida Nursery, Growers & Landscape Association
Florida Petroleum Marketers Association
Florida Retail Federation
Garden State Council SHRM, Inc.
Georgia Association of Broadcasters
Georgia Green Industry Association
Georgia Retail Association
Georgia SHRM State Council
Great Falls Area Chamber of Commerce
Greater Cheyenne Chamber of Commerce
Greater Elkhart Chamber of Commerce
Greater Idaho Falls Chamber of Commerce, Inc.
Greater Phoenix Chamber of Commerce
Greater Providence Chamber of Commerce
Greater Renton Chamber of Commerce
Greater Spokane Valley Chamber of Commerce
Greater Yakima Chamber of Commerce
Hawaii SHRM State Council
Health Care Association of New Jersey
Holdrege Area Chamber of Commerce
HR Florida State Council, Inc.
Huber Heights Chamber of Commerce
Idaho Nursery & Landscape Association

Idaho Retailers Association
Idaho SHRM State Council
IEC Chesapeake
IEC of Utah
Illinois Broadcasters Association
Illinois Chamber of Commerce
Illinois Green Industry Association
Illinois Retail Merchants Association
Illinois SHRM State Council
Independent Electrical Contractors - Dallas
Independent Electrical Contractors - Florida West Coast Chapter
Independent Electrical Contractors - San Antonio Chapter
Independent Electrical Contractors Fort Worth/Tarrant County Chapter
Independent Electrical Contractors of Greater St. Louis
Independent Electrical Contractors of New England
Independent Electrical Contractors of NW Pennsylvania
Independent Electrical Contractors of Oregon
Independent Electrical Contractors, Inc., Southern New Mexico Chapter
Independent Electrical Contractors, Oklahoma City Chapter
Indiana Broadcasters Organization
Indiana Nursery and Landscape Association
Indiana Retail Council
Indiana SHRM State Council
Iowa Retail Federation
Iowa SHRM State Council
Industrial-Irrigation Services
Kalispell Chamber of Commerce
Kansas Association of Broadcasters
Kansas State Council of SHRM, Inc.
Kawasaki Motors Manufacturing Corp., U.S.A
Kentucky Broadcasters Association
Kentucky Chamber of Commerce
Kentucky Retail Federation
Kentucky SHRM State Council
Kentucky Society of CPAs
Kentucky/Indiana Automotive Wholesalers Association
Kittitas County Chamber of Commerce
La Crosse Area Chamber of Commerce
Lake Havasu Area Chamber of Commerce
LeadingAge Colorado
Longshot Enterprises, Inc.
Louisiana Assisted Living Association
Louisiana Association of Broadcasters
Louisiana Retailers Association
Louisiana SHRM State Council
Lynchburg Regional Business Alliance
Maine Association of Broadcasters
Maine SHRM State Council
Maryland, Delaware, District of Columbia Broadcasters Association
Maryland Retailers Association

Maryland SHRM State Council, Inc.
 Massachusetts Assisted Living Association
 Massachusetts Broadcasters Association
 Massachusetts Nursery & Landscape Association
 Massachusetts SHRM State Council
 Michigan Association of Broadcasters
 Michigan Retailers Association
 Michigan SHRM State Council
 Mid-America Lumbermens Association
 Mid-South Independent Electrical Contractors Association
 Midwest Automotive Parts & Service Association
 Midwest Chapter of the Independent Electrical
 Contractors Association
 Minnesota Broadcasters Association
 Minnesota Grocers Association
 Minnesota Retailers Association
 Minnesota SHRM State Council
 Mississippi State Council of SHRM
 Missouri Broadcasters Association
 Missouri Landscape & Nursery Association
 Missouri Retailers Association
 Missouri State Council of SHRM, Inc.
 Missouri Tire Industry Association
 Montana Broadcasters Association
 Montana Chamber of Commerce
 Montana Equipment Dealers Association
 Montana Health Care Association
 Montana Independent Electrical Contractors
 Montana Restaurant Association
 Montana Retail Association
 Montana SHRM State Council
 Nebraska Broadcasters Association
 Nebraska Chamber of Commerce & Industry
 Nebraska Retail Federation
 Nebraska SHRM State Council
 Nevada SHRM State Council
 New Hampshire Retail Association
 New Hampshire SHRM State Council
 New Jersey Gasoline, C-Store, Automotive Association
 New Jersey Retail Merchants Association
 New Mexico Broadcasters Association
 New Mexico Retail Association
 New Mexico SHRM State Council
 New York State Broadcasters Association, Inc.
 New York State SHRM, Inc.
 North Carolina Assisted Living Association
 North Carolina Association of Broadcasters
 North Carolina Retail Merchants Association
 North Carolina SHRM State Council
 North Dakota Broadcasters Association
 North Dakota SHRM State Council
 Northeastern Retail Lumber Association
 Northern Kentucky Chamber of Commerce
 Northern Ohio Electrical Contractors Association / IEC
 Ohio Assisted Living Association
 Ohio Association of Broadcasters
 Ohio Council of Retail Merchants
 Ohio Equipment Distributors Association
 Ohio SHRM State Council
 Ohio Society of CPAs
 Oklahoma Association of Broadcasters
 Oklahoma Retail Merchants Association
 Oklahoma SHRM State Council
 Oregon Association of Nurseries
 Oregon Association of Broadcasters
 Oregon SHRM State Council
 Oregon State Chamber of Commerce
 Oshkosh Chamber of Commerce
 Pacific State Council
 Peerless Energy Systems, LLC
 Pennsylvania Association of Broadcasters
 Pennsylvania Chamber of Business and Industry
 Pennsylvania Food Merchants Association
 Pennsylvania Landscape & Nursery Association
 Pennsylvania Retailers Association
 Pennsylvania SHRM State Council
 Retail Association of Maine
 Retail Association of Nevada
 Retailers Association of Massachusetts
 Rexburg Area Chamber of Commerce
 Rhode Island Broadcasters Association
 Rhode Island Retail Federation
 Rhode Island SHRM State Council
 Roseburg (OR) Area Chamber of Commerce
 Salt Lake Chamber
 Schuylkill Chamber of Commerce
 Sheridan County Chamber of Commerce
 Sleeping Lady Mountain Resort
 South Carolina Broadcasters Association
 South Carolina Nursery and Landscape Association
 South Carolina Retail Merchants Association
 South Carolina SHRM State Council
 South Dakota Broadcasters Association
 South Dakota CPA Society
 South Dakota Retailers Association
 South Dakota SHRM State Council
 Southeast Kentucky Chamber of Commerce
 Sublette County Chamber of Commerce
 Tampa Bay Beaches Chamber Commerce
 Tennessee Retail Association
 Tennessee SHRM State Council
 Texas Association of Broadcasters
 Texas Association of Business
 Texas Nursery & Landscape Association
 Texas Retailers Association
 Texas SHRM State Council
 Tri-Cities Regional Chamber of Commerce
 Tualatin Chamber of Commerce
 United Equipment Dealers Association
 Utah Broadcasters Association

Utah Human Resource State Council
Utah Retail Merchants Association
Vail Valley Partnership
Vermont Retail & Grocers Association
Vermont SHRM State Council
Virginia Association of Broadcasters
Virginia Christmas Tree Growers Association
Virginia Nursery & Landscape Association
Virginia Ready-Mixed Concrete Association
Virginia Retail Federation
Virginia Retail Merchants Association
Virginia SHRM State Council
Ward Laboratories, Inc.
Washington Maryland Delaware Service Station &
Automotive Repair Association
Washington Retail Association
Washington State Association of Broadcasters
Washington State Human Resources Council

West Virginia Broadcasters Association
West Virginia SHRM State Council
Western Equipment Dealers Association
Western Reserve IEC Chapter
Western Suppliers Association
Wholesalers Association of the North East
Wisconsin Automotive Parts Association
Wisconsin Broadcasters Association
Wisconsin Green Industry Federation
Wisconsin Nursery and Landscape Association
Wisconsin SHRM State Council
Wyoming Association of Broadcasters
Wyoming Retail Association
Wyoming SHRM State Council
Wyoming State Chamber of Commerce