



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 409 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**

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 Chain Drug Stores  
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 Chamber of Commerce  
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