



April 17, 2013

The Honorable John Kline
Chairman
Committee on Education and the Workforce
2181 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515

The Honorable George Miller
Ranking Member
Committee on Education and the Workforce
2181 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Kline and Ranking Member Miller:

On behalf of Associated Builders and Contractors (ABC), a national trade association representing 22,000 members from more than 19,000 construction and industry-related firms, I am writing in support of the *Working Families Flexibility Act* (H.R.1406), introduced by Representative Martha Roby (R-AL). This legislation will amend the Fair Labor Standards Act to provide compensatory time for employees in the private sector.

ABC and its member companies support workplace flexibility. Flexibility in the workplace leads to a more productive and healthy work environment. However, current wage and hour laws prohibit private sector employers from offering non-exempt employees the option of paid time off instead of overtime payments—a benefit state and local government employees have long enjoyed. H.R. 1406 offers a reasonable solution for both employers and employees by extending this benefit to the private sector.

The *Working Families Flexibility Act* provides ample employee protections, ensuring employees are given the choice of taking overtime in cash payments or in the form of paid time off from work. This legislation would not affect the 40-hour work week and employers would still be obligated to pay overtime at a rate of 1.5 times the employee's regular rate of pay for any hours worked over 40 within a seven day work period.

ABC commends the Committee for its attention to this important issue and urges the immediate passage of H.R.1406.

Sincerely,

Geoffrey Burr
Vice President, Federal Affairs