



VIA ELECTRONIC SUBMISSION

July 23, 2015

Mary Ziegler  
Director of the Division of Regulations, Legislation,  
and Interpretation, Wage and Hour Division  
U.S. Department of Labor  
Room S-3502  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

**Re: RIN1235-AA1; Request for extension of comment period on DOL's WHD Notice of Proposed Rulemaking on Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees**

Dear Ms. Ziegler:

Associated Builders and Contractors, Inc. (ABC) respectfully requests that the Wage and Hour Division grant a sixty (60) day extension to November 3, 2015, for submitting written comments in response to the above-referenced proposed rulemaking, published in the *Federal Register* on July 6, 2015, at 80 Fed. Reg. 38516.

ABC is a national construction industry trade association representing nearly 21,000 chapter members. ABC and its 70 chapters help members develop people, win work and deliver that work safely, ethically and profitably for the betterment of the communities in which they work. ABC member contractors employ workers, whose training and experience span all of the 20-plus skilled trades that comprise the construction industry. Moreover, the vast majority of our contractor members are classified as small businesses. Our diverse membership is bound by a shared commitment to the merit shop philosophy in the construction industry. The philosophy is based on the principles of nondiscrimination due to labor affiliation and the awarding of construction contracts through open, competitive bidding based on safety, quality and value. This process assures that taxpayers and consumers will receive the most for their construction dollar.

ABC represents a significant number of employer stakeholders who will be impacted by the proposed rule. The current timeframe for submitting written comments is insufficient, and a denial of our request will substantially impede ABC's ability to receive and process member feedback. Because the Department proposes to more than double the minimum salary level for full time salaried workers and automatically update the salary level on an annual basis, additional time is required to appropriately analyze the proposal's impact on ABC member companies. Further, the Department invites stakeholders to offer input on a number of methodologies that could be utilized to determine the annual salary increase, such as using the Consumer Price Index for all Urban Consumers or the 40<sup>th</sup> percentile

of weekly earnings for full time salaried workers. The questions proposed by the Department will require a significant amount of economic analysis and consideration.

It is important that the Department grant an extension to allow stakeholders an adequate amount of time to examine and provide meaningful and constructive feedback on the proposal. ABC looks forward to the opportunity to comment on the proposal, and thanks the agency for its consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoffrey Burr", with a long horizontal flourish extending to the right.

Geoffrey Burr  
Vice President, Government Affairs