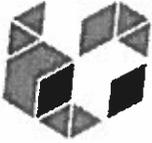
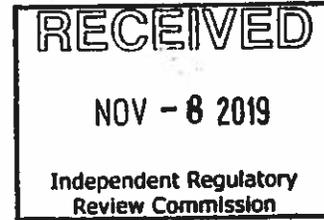


3202



HARRISBURG REGIONAL
CHAMBER & CREDC.



November 8, 2019

Independent Regulatory Review Commission
333 Market St, 14th Floor
Harrisburg, PA 17101

Dear IRRRC Members:

On June 12, 2018, the Pennsylvania Department of Labor and Industry (L&I) submitted proposed rulemaking announcing proposed revisions to the Pennsylvania Minimum Wage Act overtime exemptions, of which the Harrisburg Regional Chamber opposed along with counterparts in York, Lancaster and Greater Reading.

Post-announcement, we were grateful to not only electronically submit comments but also be granted an opportunity to participate in a stakeholder roundtable at the request of the Pennsylvania Department of Labor & Industry so its officials and Deputy Secretary could hear directly from employers regarding L&I's proposed changes to overtime eligibility rules.

Despite the comments submitted around the Commonwealth and the opposition voiced at the roundtable reflecting concern among employers from a range of industry sectors, it seemed as though L&I made only minimal changes to the rulemaking. The revised proposal also falls short of L&I's goal of aligning federal and state overtime laws.

The revised proposal would still increase the salary threshold by over 92 percent and require regular increases using a formula that would impose larger increases. We do recognize that the thresholds in the revised rules are lower than those in the original proposed updated from June 2018.

As a catalyst representing the business community, we still have the same concerns as we did a year ago:

- This proposed rule does not reflect the nature of the workplace today. In today's culture where more businesses and individuals (particular technology companies, accounting firms, law firms and other professionals) work flexible schedules that require more than 40 hours in one week due to deadlines, project goals, events and other activities, also experience the opposite where they require fewer than 40 hours in a subsequent week.
- The proposed regulation, if enacted, would impose a significant hardship on Pennsylvania employers and employees with additional costs to closely monitor employees' time and update their human resource systems.
- Businesses in the Commonwealth already carry a heavy regulatory burden. This proposed regulation would be a detriment to Pennsylvania's economic competitiveness and does not support a pro-growth business agenda.

- This proposed regulation would be particularly difficult on rural areas in Pennsylvania actively seeking new age jobs and population growth.
- The U.S. Department of Labor has enacted changes to levels of this rule that still do not reflect today's workplace. These levels are below Pennsylvania's requirements.

We urge the Independent Regulatory Review Commission to disapprove of this regulation and take into consideration the negative implications on the business community and Pennsylvania's Business Climate.

Thank you for the opportunity to provide comment and feedback on the Final Form Regulation submitted by the Pennsylvania Department of Labor and Industry (L&I).



David Black
President & CEO
Harrisburg Regional Chamber & CREDC