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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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August 21, 2018

Bryan Smolock, Director  
Bureau of Labor Law Compliance  
Department of Labor and Industry  
651 Boas St, Room 1301  
Harrisburg, PA 17121



RE: Minimum Wage #12-106 (IRRC# 3202)

Dear Director Smolock:

As members of the House Democratic Labor and Industry Committee, please accept this letter as our support for the Department of Labor & Industry's proposed rulemaking on overtime pay pursuant to the Pennsylvania Minimum Wage Act.

As evident by our legislative record, we greatly support efforts that will improve wages and working conditions for individuals throughout Pennsylvania. The proposed rulemaking will serve to strengthen our middle class at a time that it is needed the most. The Department estimates that up to 460,000 middle-class workers will benefit from this rulemaking by ensuring that Pennsylvanians receive fair compensation for overtime hours worked and by reducing the practice of required, unpaid overtime.

The proposed rulemaking would make two significant and necessary changes to modernize the exemptions for salaried workers from overtime pay requirements. First, the proposal would simplify the duties test to facilitate compliance. State agencies are continuously asked to do more with less, and updates to outdated or confusing rules support good and efficient government. By improving the readability of the regulations, we can reduce inquiries and unintentional noncompliance by employers. Second, the proposal would modernize the salary threshold to ensure that overtime exemptions are consistent with the original intent of the act and, thus, only apply to bona fide managerial and professional employees. Forty years ago, more than 60% of workers nationwide were eligible for overtime based on their salaries, while only 7% of full-time salaried workers are eligible today. Modernization of the salary threshold would provide meaningful and tangible wage protections for low-wage and middle-class workers.

In closing, we are hopeful that the Commission will look favorably on this rulemaking package. We appreciate your time and attention to this matter and we look forward to your review.

Sincerely,

**John T. Galloway, Democratic Chairman**  
Labor and Industry Committee  
Pennsylvania House of Representatives



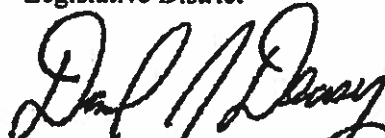
**Leanne Krueger-Brancky, Democratic Secretary**  
Labor and Industry Committee  
Pennsylvania House of Representatives



**Morgan Cephas, State Representative**  
192<sup>nd</sup> Legislative District



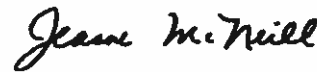
**Daniel J. Deasy, State Representative**  
27<sup>th</sup> Legislative District



**Maria P. Donatucci, State Representative**  
185<sup>th</sup> Legislative District



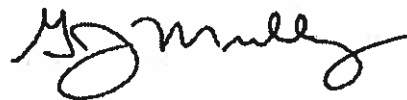
**Jeanne McNeill, State Representative**  
133<sup>rd</sup> Legislative District



**Dan L. Miller, State Representative**  
42<sup>nd</sup> Legislative District



**Gerald J. Mullery, State Representative**  
119<sup>th</sup> Legislative District



**Ed Neilson, State Representative**  
174<sup>th</sup> Legislative District



**Adam Ravenstahl, State Representative**  
20<sup>th</sup> Legislative District



**Pam Snyder, State Representative**  
50<sup>th</sup> Legislative District



cc: Independent Regulatory Review Commission (via email)