

3202 Form Letter B 41-50

RECEIVED  
JUL - 9 2018  
Independent Regulatory  
Review Commission

Kathy Cooper

**From:** Bertrand Artigues <chefbebert@gmail.com>  
**Sent:** Saturday, July 07, 2018 1:36 PM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is Bertrand Artigues. I am the owner/operator of Cloud 9 Wine Bar & Restaurant. I employ 37 people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

An increase in the threshold in Pennsylvania to \$921/week over two years would hurt my employees and my business. While the current threshold may need to be increased to take into consideration changes over the years, an increase of over 200 percent, even if over the course of a few years, is well beyond what an increase based on inflation should be.

This change would force me to take employees that are currently in a leadership position and make them hourly, which could mean a loss in pay but more importantly take away the flexibility to make their own hours and the leadership they have earned in their salaried position in the first place. Employees often perceive reclassifications to non-exempt hourly positions as demotions. In my experience, employees look forward to making the jump from hourly to salaried and reclassifying them will undoubtedly be viewed by many as a step backwards in their careers.

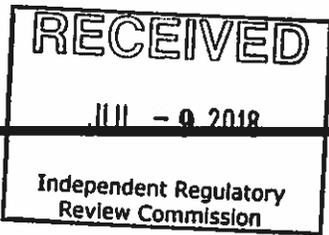
Pennsylvania needs to continue to be competitive to ensure that I can grow my business and we can attract more businesses to our state. The U.S. Department of Labor is likely to change the threshold on a national level, and I would urge the state Department to wait and consider the newly proposed regulations that the federal Department will release.

To that end, I do support changing Pennsylvania's duties test to be identical to the federal duties test. Unfortunately, the proposed regulation purports to do that but actually doesn't. Pennsylvania has a significant number of gray areas as it pertains to our current regulation and aligning with the federal guideline would once again provide the consistency and clear guidance the business community needs.

The regulation as proposed will hurt my business as it currently operates and my ability to grow my business. Changes may need to be made as it pertains to the salary threshold, but the Department should take into consideration the multiple variables at play in Pennsylvania instead of relying on one-sided studies and political rhetoric.

Sincerely,

B.Artigues  
3315 Raspberry St  
Erie, PA 16508  
[chefbebert@gmail.com](mailto:chefbebert@gmail.com)



**Kathy Cooper**

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**From:** Jeff Detzi <jeffdetzi@gmail.com>  
**Sent:** Saturday, July 07, 2018 6:28 AM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is Jeff Detzi, I am the owner/operator of Detzi's Tavern, Inc. I employ 45 people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

An increase in the threshold in Pennsylvania to \$921/week over two years would hurt my employees and my business. While the current threshold may need to be increased to take into consideration changes over the years, an increase of over 200 percent, even if over the course of a few years, is well beyond what an increase based on inflation should be.

This change would force me to take employees that are currently in a leadership position and make them hourly, which could mean a loss in pay but more importantly take away the flexibility to make their own hours and the leadership they have earned in their salaried position in the first place. Employees often perceive reclassifications to non-exempt hourly positions as demotions. In my experience, employees look forward to making the jump from hourly to salaried and reclassifying them will undoubtedly be viewed by many as a step backwards in their careers.

Pennsylvania needs to continue to be competitive to ensure that I can grow my business and we can attract more businesses to our state. The U.S. Department of Labor is likely to change the threshold on a national level, and I would urge the state Department to wait and consider the newly proposed regulations that the federal Department will release.

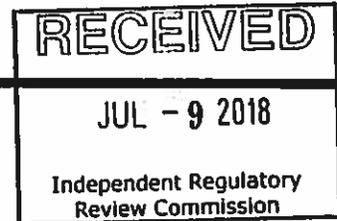
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Sincerely,

Jeff Detzi  
314 N Lobb Ave  
Pen Argyl, PA 18072  
[jeffdetzi@gmail.com](mailto:jeffdetzi@gmail.com)

**Kathy Cooper**



**From:** Joseph Mendez <joe@germantowncricket.org>  
**Sent:** Friday, July 06, 2018 5:40 PM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is Joe Mendez I am the General Manager of Germantown Cricket Club. I employ 134 people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

An increase in the threshold in Pennsylvania to \$921/week over two years would hurt my employees and my business. While the current threshold may need to be increased to take into consideration changes over the years, an increase of over 200 percent, even if over the course of a few years, is well beyond what an increase based on inflation should be.

This change would force me to take employees that are currently in a leadership position and make them hourly, which could mean a loss in pay but more importantly take away the flexibility to make their own hours and the leadership they have earned in their salaried position in the first place. Employees often perceive reclassifications to non-exempt hourly positions as demotions. In my experience, employees look forward to making the jump from hourly to salaried and reclassifying them will undoubtedly be viewed by many as a step backwards in their careers.

Pennsylvania needs to continue to be competitive to ensure that I can grow my business and we can attract more businesses to our state. The U.S. Department of Labor is likely to change the threshold on a national level, and I would urge the state Department to wait and consider the newly proposed regulations that the federal Department will release.

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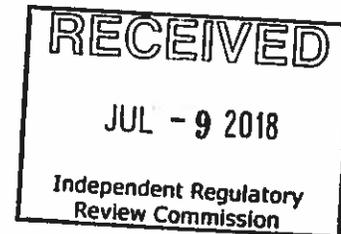
Sincerely,

Joseph A. Mendez, CCM, CCE  
411 W Manheim St  
Philadelphia, PA 19144  
[joe@germantowncricket.org](mailto:joe@germantowncricket.org)

## Kathy Cooper

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**From:** Smolock, Bryan <bsmolock@pa.gov>  
**Sent:** Monday, July 09, 2018 7:18 AM  
**To:** Kathy Cooper  
**Subject:** FW: Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231



-----Original Message-----

**From:** Derek Giacomantonio [mailto:derek.giacomantonio@partners.mcd.com]  
**Sent:** Saturday, July 07, 2018 8:01 PM  
**To:** Smolock, Bryan <bsmolock@pa.gov>  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear Director Smolock,

My name is Derek Giacomantonio I am the owner/operator of McDonald's. I employ 200 people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

An increase in the threshold in Pennsylvania to \$921/week over two years would hurt my employees and my business. While the current threshold may need to be increased to take into consideration changes over the years, an increase of over 200 percent, even if over the course of a few years, is well beyond what an increase based on inflation should be.

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Pennsylvania needs to continue to be competitive to ensure that I can grow my business and we can attract more businesses to our state. The U.S. Department of Labor is likely to change the threshold on a national level, and I would urge the state Department to wait and consider the newly proposed regulations that the federal Department will release.

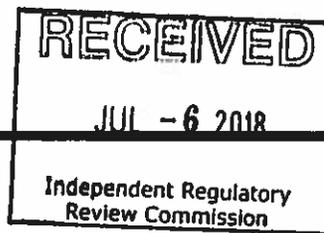
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The regulation as proposed will hurt my business as it currently operates and my ability to grow my business. Changes may need to be made as it pertains to the salary threshold, but the Department should take into consideration the multiple variables at play in Pennsylvania instead of relying on one-sided studies and political rhetoric.

Sincerely,

Derek Giacomantonio  
205 Easton Rd  
Horsham, PA 19044  
[derek.giacomantonio@partners.mcd.com](mailto:derek.giacomantonio@partners.mcd.com)

**Kathy Cooper**



**From:** Jennifer Steward <user@votervoice.net>  
**Sent:** Friday, July 06, 2018 2:52 PM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is \_\_\_Jen Steward\_\_\_\_\_ I am the owner/operator of \_\_\_Steward Group Mgmt\_\_\_\_\_. I employ \_\_\_195\_\_ people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

An increase in the threshold in Pennsylvania to \$921/week over two years would hurt my employees and my business. While the current threshold may need to be increased to take into consideration changes over the years, an increase of over 200 percent, even if over the course of a few years, is well beyond what an increase based on inflation should be.

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Sincerely,

Jennifer Steward  
658 Parkwood Dr  
York, PA 17404  
[jenwoody7@aol.com](mailto:jenwoody7@aol.com)

RECEIVED

JUL - 9 2018

Independent Regulatory  
Review Commission

**Kathy Cooper**

**From:** Kimberly Greenwalt <kim.greenwalt@partners.mcd.com>  
**Sent:** Monday, July 09, 2018 10:45 AM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is Kimberly Greenwalt I am the owner/operator of four McDonald's restaurants. I employ 400 people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

An increase in the threshold in Pennsylvania to \$921/week over two years would hurt my employees and my business. While the current threshold may need to be increased to take into consideration changes over the years, an increase of over 200 percent, even if over the course of a few years, is well beyond what an increase based on inflation should be.

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Pennsylvania needs to continue to be competitive to ensure that I can grow my business and we can attract more businesses to our state. The U.S. Department of Labor is likely to change the threshold on a national level, and I would urge the state Department to wait and consider the newly proposed regulations that the federal Department will release.

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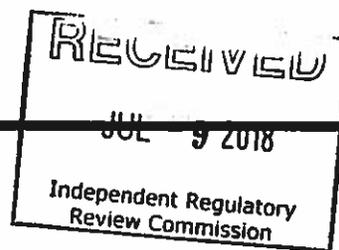
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Sincerely,

Kimberly Greenwalt  
12 N Market St  
Millerstown, PA 17062  
[kim.greenwalt@partners.mcd.com](mailto:kim.greenwalt@partners.mcd.com)

**Kathy Cooper**

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**From:** Staci Goodspeed <skg@watsoninn.com>  
**Sent:** Monday, July 09, 2018 11:17 AM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is \_\_\_\_\_ I am the owner/operator of \_\_\_\_\_. I employ \_\_\_\_\_ people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

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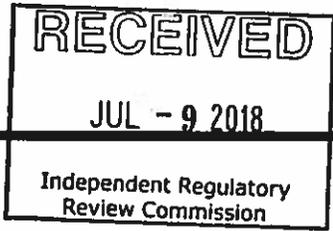
Pennsylvania needs to continue to be competitive to ensure that I can grow my business and we can attract more businesses to our state. The U.S. Department of Labor is likely to change the threshold on a national level, and I would urge the state Department to wait and consider the newly proposed regulations that the federal Department will release.

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Sincerely,

Staci Goodspeed  
100 Main St  
Watsonstown, PA 17777  
[skg@watsoninn.com](mailto:skg@watsoninn.com)



**Kathy Cooper**

**From:** Trudy Carrington <starlakegirl1@gmail.com>  
**Sent:** Monday, July 09, 2018 12:12 PM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is \_\_\_\_\_ I am the owner/operator of \_\_\_\_\_. I employ \_\_\_\_\_ people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

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Sincerely,

Trudy Carrington  
25 Eastbrook Rd  
Ronks, PA 17572  
[starlakegirl1@gmail.com](mailto:starlakegirl1@gmail.com)



**Kathy Cooper**

**From:** Donna Abbonizio <donna.pillaabbonizio@partners.mcd.com>  
**Sent:** Monday, July 09, 2018 3:30 PM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is Donna Abbonizio \_\_\_\_\_ I am the owner/operator of McDonald's \_\_\_\_\_. I employ \_\_\_250\_\_\_ people and by virtually any definition am considered a small business owner in the state of Pennsylvania.

I am writing to express my deep concerns with the proposed rulemaking by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

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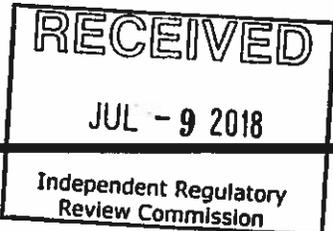
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Sincerely,

Donna Abbonizio  
962 Liberty Ln  
Warrington, PA 18976  
[donna.pillaabbonizio@partners.mcd.com](mailto:donna.pillaabbonizio@partners.mcd.com)



**Kathy Cooper**

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**From:** Lisa Rager <lrager@visitjohnstownpa.com>  
**Sent:** Monday, July 09, 2018 11:21 AM  
**To:** IRRC  
**Subject:** Proposed Rulemaking: Title 34 Labor & Industry Regulations for Min Wage 34 Pa. Code, Pt XII, Ch 231

Dear IRRC Review Commission,

My name is Lisa Rager. I am the Executive Director of the Johnstown Convention & Visitors Bureau, which employs a full-time staff of five people.

I am writing to express my deep concerns with the proposed rule making by the Department of Labor as it pertains to the salary threshold for exempt employees in Pennsylvania. By the Department's own admission, there was no effort to meet with the thousands of business owners/managers in this Commonwealth to obtain feedback and no consideration given to the geographical make-up and different costs of living that vary throughout the Commonwealth.

An increase in the threshold in Pennsylvania to \$921/week over two years would hurt my employees and our organization. While the current threshold may need to be increased to take into consideration changes over the years, an increase of over 200 percent, even if over the course of a few years, is well beyond what an increase based on inflation should be.

This change would force us to take employees that are currently in a leadership position and make them hourly, which could mean a loss in pay but more importantly take away the flexibility that we provide to them in their work schedule and the leadership they have earned in their salaried position in the first place. Employees often perceive re-classifications to non-exempt hourly positions as demotions. In my experience, employees look forward to making the jump from hourly to salaried and reclassifying them will undoubtedly be viewed by many as a step backwards in their careers.

In our small, non-profit organization that is the tourist promotion agency for our destination, our staff's work week fluctuates. We attend trade shows on weekends, travel to conferences, run events in the summer, attend evening meetings and other weekend functions. Our staff appreciates the flexibility to have additional time off to balance out their work week. Furthermore, it would significantly affect our budget, not to mention the moral of our dedicated people. Although we are a small staff of five, each individual is a manager of her own area of responsibility; however, only one employee, besides myself, would exceed the salary threshold for exempt employees. Cost of living and salaries in general in a small town like Johnstown don't compare with the rest of Pennsylvania. Many employees are managers earning much less than the proposed \$38,000 per year. This salary threshold is just not inline with where salaries are in our area, which has been economically depressed for many years.

Pennsylvania needs to continue to be competitive to ensure that it can attract more businesses to our state. The U.S. Department of Labor is likely to change the threshold on a national level, and I would urge the state Department to wait and consider the newly proposed regulations that the federal Department will release.

To that end, I do support changing Pennsylvania's duties test to be identical to the federal duties test. Unfortunately, the proposed regulation purports to do that but actually doesn't. Pennsylvania has a significant number of gray areas as it pertains to our current regulation and aligning with the federal guideline would once again provide the consistency and clear guidance the business community needs.

The regulation as proposed will hurt our organization as it currently operates and our ability to grow and increase tourism to our area. Changes may need to be made as it pertains to the salary threshold, but the Department should

take into consideration the multiple variables at play in Pennsylvania instead of relying on one-sided studies and political rhetoric.

Sincerely,

Lisa M. Rager, Executive Director  
2026 Belton St  
Johnstown, PA 15904  
[lrager@visitjohnstownpa.com](mailto:lrager@visitjohnstownpa.com)