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**COMMUNITY LEGAL SERVICES
OF PHILADELPHIA**

July 19, 2018

Bryan M. Smolock, Director, Bureau of Labor Law Compliance
651 Boas St, Room 1301
Harrisburg, PA 17121
bsmolock@pa.gov



Dear Mr. Smolock:

I am writing on behalf of Community Legal Services of Philadelphia as a nonprofit employer that is strongly in support of the proposed changes to the overtime regulations by the Department of Labor and Industry. The proposal is fair for Pennsylvania's workers and manageable for employers – including non-profit organizations like ourselves who depend on government and philanthropic funding for our budget. The prior regulation has been in place since 1977 and has not kept pace with the cost of living and housing in Pennsylvania, or with the realities of our workplaces. In Philadelphia County alone, over 37,000 workers stand to benefit from the implementation of this updated regulation and the economic benefits will be felt by all. This type of economic boost is crucial given otherwise stagnant wages in a city with a 2016 poverty rate of 25.7%, including 12.2% in deep poverty.

CLS has a staff of 106 total, of which 27 are paralegals, all of whom would likely fall under the definition of executive, administrative and professional employees and many of whom currently make less than the newly proposed threshold salary of \$47,892. The proposal's gradual phase-in schedule will allow non-profit organizations like us ample time to gradually adjust to the higher overtime threshold – and adequate lead time to plan for it from a budgetary standpoint. Moreover, there are a variety of ways that employers can adjust to the higher standard. These include measures that don't necessarily involve significant budgetary cost, such as spreading work among employees in order to avoid staff having to work overtime. Indeed we discourage our staff from working overtime, in that overtime hours must be approved by a supervisor. We recognize that the work our talented staff does is difficult and draining; working long hours is not to anyone's benefit. And tracking the hours of salaried employees is a fairly straightforward task that nonprofit employers can easily implement if they do not already do so.

Transitioning to fair pay practices for all employers, including non-profits, is important to our values and our mission. Furthermore it will help us recruit and retain the type of workforce that we need to achieve our mission of effectively delivering services to needy Pennsylvanians. We urge you to adopt and implement this proposal for the benefit of all Pennsylvanians.

Sincerely,

Deborah Freedman
Executive Director

