

#3202

Stephen Hoffman

Form Letter E 208

**From:** Smolock, Bryan <bsmolock@pa.gov>  
**Sent:** Thursday, August 16, 2018 1:51 PM  
**To:** IRRC; Kathy Cooper  
**Cc:** Rapach, Jennifer Buchanan; Schramm, Robert (LI-OCC); Lengel, Michelle  
**Subject:** FW: I Support The New Overtime Rule

**From:** Katherine Koba [<mailto:info@sg.actionnetwork.org>]  
**Sent:** Tuesday, August 14, 2018 9:32 AM  
**To:** Smolock, Bryan <bsmolock@pa.gov>  
**Subject:** I Support The New Overtime Rule



Bryan Smolock,

I am writing to express my strong support for the regulation proposed by the Pennsylvania Department of Labor and Industry to restore overtime pay for an estimated 465,000 workers by phasing in a requirement that Pennsylvania salaried workers earning below \$47,892 automatically be eligible for overtime.

For decades after the passage of federal and state laws on overtime it was accepted that moderately-paid salaried workers in the United States and Pennsylvania should receive overtime pay.

At one point, six out of 10 salaried workers automatically received overtime pay or they could go home after a 40-hour work week. Unfortunately, however, the federal and Pennsylvania salary levels below which all executive, administration and professional workers receive overtime pay have not changed since the mid-1970s. Therefore, fewer than one in 10 salaried workers today is automatically eligible for overtime.

As a result, the 40-hour work week, and the right to overtime pay, have been taken away from nearly half a million Pennsylvania salaried workers. Hundreds of thousands of department managers at big box stores, fast food shift supervisors, paralegals in law firms, manufacturing team leaders, office managers, and other salaried workers work for free over 40 hours. They often work 50 or 60 hours per week for an effective hourly rate of \$10 per hour or less even though they perform the same duties as hourly personnel for most of their

work week.

Fortunately, just as states have the right to establish a minimum wage higher than the federal minimum wage, they also have the right to set a higher overtime threshold. Neighboring New York has already updated its thresholds. I applaud Gov. Wolf's proposal that Pennsylvania do the same. I also applaud his decision to phase in this change over three years – giving businesses ample time to adjust. Good Pennsylvania businesses that recognize their employees as their most important asset, such as Altoona-based Sheetz, have already decided to lift their salaries to the level proposed by Gov. Wolf.

Many of the same forces that opposed the 40-hour work week a century ago – and also opposed a minimum wage, child labor laws, health and safety standards and every other requirement that business treat employees decently – will reflexively oppose Gov. Wolf's common-sense proposal. Since the governor's action and authority to make this change is rooted in state law, it should be implemented.

Katherine Koba

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