

March 25, 2025

Representative Ryan Mackenzie
Chair
Subcommittee on Workforce Protections
House Education & Workforce Committee
U.S. House of Representatives
2176 Rayburn House Office Building
Washington, DC 20515

Representative Ilhan Omar
Ranking Member
Subcommittee on Workforce Protections
House Education & Workforce Committee
U.S. House of Representatives
2176 Rayburn House Office Building
Washington, DC 20515

Dear Chair Mackenzie, Ranking Member Omar, and members of the House Education & Workforce Subcommittee on Workforce Protections:

The undersigned organizations, representing various industries and employers across the nation, urge you to reintroduce and support the Working Families Flexibility Act (H.R. 1980, 117th Congress), which would modernize the Fair Labor Standards Act (FLSA) and give workers increased agency over their work and lives.

The Working Families Flexibility Act would allow employers to offer employees the choice of taking their overtime pay in the traditional form of regular compensation in their next pay check or as paid time off from work to use at a later date, or “comp time.” Employees would be able to consider their own circumstances and choose the best option for them. In either case, the employee receives full compensation for the hours worked at the premium overtime pay rate. The bill also includes protections for workers who choose to take comp time over regular compensation, including allowing workers to convert their payments to comp time whenever they wish and obtaining any unused comp time as cash payments at the end of the year, ensuring workers never miss out on their earnings.

Workers today are routinely indicating they want more flexibility in their work, but federal wage and hour laws currently prohibit private sector employers from offering the choice of comp time, requiring they pay employees cash compensation for any overtime hours worked. This is a rigid and outdated policy that no longer meets the needs of today’s workforce. Moreover, the option of taking comp time has existed – and been successful – in the public sector for decades. Providing the option of banking overtime as future paid leave will give workers the flexibility they desire, enabling them to care for loved ones, attend the activities of their children, and manage their own health and wellbeing as needed. At a time of rapidly changing economic landscapes and

workforce preferences, the Working Families Flexibility Act would better accommodate the needs of the 21st Century workforce.

The Working Families Flexibility Act is a much-needed step towards modernizing the FLSA to better accommodate the needs and preferences of today's workers. We urge you to reintroduce and support this legislation.

Sincerely,

American Hotel & Lodging Association
Associated Builders and Contractors
Associated General Contractors of America
HR Policy Association
Independent Electrical Contractors
International Foodservice Distributors Association
International Franchise Association
National Council of Chain Restaurants
National Federation of Independent Business
National Restaurant Association
National Retail Federation