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United States Senate

COMMITTEE ON SMALL BUSINESS & ENTREPRENEURSHIP

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September 4, 2015

The Honorable Tom Perez
Office of the Secretary
United States Department of Labor
200 Constitution Avenue Northwest
Washington, DC 20210

Dear Secretary Perez,

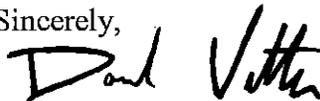
As the Chairman of the Senate Committee on Small Business and Entrepreneurship, I request that you reconsider your decision not to extend the public comment period for the U.S. Department of Labor's (DOL) July 6, 2015, Notice of Proposed Rulemaking on overtime pay. I have serious concerns with the proposed changes to overtime regulations and believe they would negative impact the ability of small businesses to operate effectively.

As written, the proposal would substantially increase the number of workers who qualify for overtime pay, including some workers who make over \$100,000 a year. This creates a tough business decision for many employers and places additional cost burdens on many small businesses that simply cannot afford increased labor costs. While President Obama's initiative seeks to increase pay for workers, it will actually have the opposite effect for many small businesses across the country. Employers will likely respond to higher overtime costs in several ways that will actually reduce workers' hours, pay, and opportunity for long-term advancement. Current workers could see their hours cut or limited to less than 40 hours per week and lose the benefits that come with a salaried position, such as flexible work hours and health insurance. These reactive changes would have severely negative effects in the workplace.

It is clear that the DOL failed to consider the advantage that larger companies have over small businesses when it comes to compliance of the purposed rule. Many small businesses do not have a full-time Human Resources departments, and the burden and cost of complying with the new rule's reporting requirements will have a much greater impact. For these reasons and due to the significant impact that this rule would have on businesses across the country, I suggest you extend the public comment period to allow small business owners and employees the opportunity to examine the purposed rule and comment.

Thank you for your attention to my request.

Sincerely,



Chairman David Vitter

U.S. Senate Committee on Small Business & Entrepreneurship