



# **ACTION ALERT 7/15/03**

## **AFSCME Florida Council 79**

American Federation of State, County and Municipal Employees, AFL-CIO

## **Contact senators NOW to support Harkin amendment to save overtime rights**

Tens of thousands of AFSCME members are at risk of losing overtime rights under the proposed Department of Labor regulations. Senator Tom Harkin (D-IA) will offer an amendment to the Labor, HHS, Education Appropriations bill that would prevent the U.S. Department of Labor (DOL) from issuing any regulation that takes away workers' overtime rights.

We expect that the Harkin Amendment will be offered during the week of July 14th, probably on Wednesday, July 16th or Thursday, July 17th.

Below is a link to e-mail your Senators and tell them to support the Harkin amendment and protect our overtime rights:

<http://capwiz.com/afscme/issues/alert/?alertid=2842116&type=CO>

### **FAIR LABOR STANDARDS ACT**

The Fair Labor Standards Act (FLSA) requires public and private sector employers to compensate their workers for every hour worked over forty at a rate of time and a half. Workers in the public sector may elect to take their earned overtime in the form of pay or comp time. Workers in the private sector always receive their earned overtime in the form of pay.

### **WHAT BUSH IS PROPOSING**

On March 31, 2003, the Bush Administration proposed new regulations that would eliminate the right to receive overtime, whether in the form of pay or comp time. Tens of thousands of AFSCME members and approximately eight million workers nationwide will be stripped of their statutory right to receive overtime at a rate of time and a half for every hour worked over forty in a seven day week

The regulations pertain to professional, administrative, and executive exemptions, which are commonly referred to as the "white collar" exemptions and govern minimum wage and overtime pay requirements in both public and private sector workplaces. DOL's changes would make it much easier for employers to reclassify workers more broadly as "white collar" employees ineligible for overtime.

**WHO WILL LOSE**

Workers likely to lose their eligibility for overtime pay work include mid-level office workers, secretaries, licensed practical nurses and dental hygienists, firefighters, policemen and women, EMT's, paramedics, cooks, paralegals, engineering and health technicians, dieticians, social workers, administrative and computer support, and lower-level supervisors. AFSCME members working at highly skilled jobs in such departments as human resources, labor relations, budget, and planning could lose the right to overtime pay.

**WHAT WILL BE LOST**

The DOL proposal would force workers to work longer hours with no extra pay or time off. Millions of workers depend on overtime pay to make ends meet, and in 2000 overtime pay accounted for about 25% of the income of workers who worked overtime. Many public sector workers depend on their comp time in order to care for their children and elderly parents. Workers stripped of their overtime protection would end up working longer hours for less pay.

The AFL-CIO also has excellent information on this issue at:

<http://www.aflcio.org/yourjobeconomy/overtimepay/index.cfm>

In Solidarity,

Jeanette D. Wynn

President

AFSCME Florida Council 79

111 N. Gadsden St., Suite 100

Tallahassee, FL 32301

[www.afscmeffl.org](http://www.afscmeffl.org)

TF: (800) 541-0584

PH: (850) 222-0842

FX: (850) 224-2961

Offices in Tallahassee, Jacksonville, Gainesville,

Tampa, Orlando, Daytona Beach, and Miami

This information was provided to you courtesy of the dues-paying members of AFSCME Florida Council 79, "The Voice of Florida's Public Employees." We are the Florida council of the American Federation of State, County and Municipal Employees, AFL-CIO. AFSCME Florida is the state's second-largest union, representing more than 110,000 employees working for the state, public universities, school boards, cities and counties, and private nonprofit hospitals. If you are an AFSCME member, please use this service to inform yourself and your coworkers on issues of interest to you. If you are not a member, please note the great services and advocacy we provide to our members and contact us about giving you a voice in changing your workplace for the better.