
WORKING FAMILIES FLEXIBILITY ACT OF 2017 *Empowering families and protecting workers*

To help Americans balance the needs of family and work, Rep. Martha Roby (R-AL) introduced the *Working Families Flexibility Act of 2017* (H.R. 1180). This commonsense legislation would allow private-sector workers to choose paid time off or 'comp time' instead of cash wages as compensation for working overtime hours. Public-sector employees have enjoyed this benefit for almost 30 years. It's time private-sector workers had the same opportunity. The *Working Families Flexibility Act* includes numerous protections to ensure workers can choose whichever overtime compensation they prefer.

- **The decision to receive comp time is completely voluntary.** An employee who prefers to receive cash payment for overtime hours worked is always free to do so.
- **Workers can withdraw from a comp time agreement whenever they choose.** An employee who changes his or her mind will receive cash wages at the overtime rate of time-and-a-half for accrued comp time within 30 days.
- **All existing protections in the *Fair Labor Standards Act* are maintained,** including the 40-hour work week and how overtime compensation is accrued.
- **It is up to the employee to decide when to use his or her comp time,** as long as he or she provides reasonable notice and the requested time off does not overly disrupt — the same standard used for public-sector workers.
- **An employee can cash out his or her unused comp time for any reason and at any time.** Employers are required to provide cash wages at the overtime rate of time-and-a-half within 30 days of receiving an employee request.
- **No worker can be intimidated, coerced, or forced to accept comp time instead of cash wages.** Employers who coerce employees into choosing comp time would be liable to the employees for double damages.
- **All existing enforcement remedies — including action by the U.S. Department of Labor — are available to workers** if an employer fails to pay cash wages for overtime hours or unreasonably refuses to allow workers to use accrued comp time.
- **Employers must provide employees 30 days' notice of a decision to discontinue offering comp time,** providing workers and their families an opportunity to adjust to this change in the workplace.