



COMMITTEE ON
EDUCATION & LABOR
REPUBLICANS

COMMITTEE
STATEMENT

**Opening Statement of Rep. Bradley Byrne (R-AL), Republican Leader
Subcommittee on Workforce Protections Hearing:
“Restoring the Value of Work: Evaluating DOL’s Efforts to Undermine Strong
Overtime Protections”
June 12, 2019**

“After clocking 40 hours of work, there are few incentives as attractive as overtime pay to motivate an individual to come back for more that week. The Department of Labor should make sure those entitled to overtime pay receive it, and the proposed overtime rule will help ensure that. But my colleagues on the other side of the gavel aren’t hearing it.

This spring, the DOL published a Notice of Proposed Rulemaking in the Federal Register, which raised the annual salary threshold to be exempt from overtime pay by over \$11,000. This rule would make over one million additional American workers eligible for overtime pay. One million.

For some reason, this sensible proposal to modernize the overtime pay salary threshold doesn’t make Democrats happy. Rather than welcoming this exceptional opportunity, they would rather wallow in their partisan opposition to President Trump and oppose any and every policy coming out of this administration, even when the policies are as reasonable as this one. We’re here today because, in stunts of political point-scoring, Democrats insist on revisiting the radical and discredited Obama-era overtime rule, which everyone should recall, was invalidated in a U.S. District Court.

The Obama rule proposed to hike the threshold for exemption from overtime pay by over 100% to a salary of almost \$50,000. As the court wrote in its decision invalidating the rule: “The Department has exceeded its authority and gone too far with the Final Rule.” In addition to being excessive, misguided, and unworkable, this spike wasn’t projected to help workers in the long run. Young

Americans would have been particularly harmed by the rule, because it would have increased college costs and made it harder for graduates to begin their careers. The Obama scheme would have resulted in fewer job prospects, less flexibility in the workplace, and less opportunity to move up the economic ladder.

Small businesses, non-profit employers, colleges and universities, and the people all these American institutions serve would have been hit the hardest by the Obama Administration's rule. That's ironic, considering we presumably work on this committee to promote and protect those very sectors of our country.

I want to remind my Democrat colleagues that the DOL reached its new salary threshold in the proposed rule using the same sound methodology as the Bush administration in 2004, which set the current minimum that we use today: \$23,660. It is entirely reasonable and, indeed, wise in this time of economic growth to look at what has worked before. Instead of rebelling in political outcry, we would all serve American middle-class workers well to take a step back and be objective about this.

Times have changed and the economy along with it, and this proposed rule is a responsible, reasonable, and workable answer in keeping with the purpose and historical level of the overtime salary threshold and most importantly, in affirming the value of every American worker."

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