

March 28, 2016

TO: WMA MEMBERS

RE: URGENT Action Needed on Overtime Regs

NAW has been actively participating in business community efforts in opposition to the Department of Labor's (DoL) proposed changes to the so-called "white collar exemption" to Federal overtime rules.

As part of the normal regulatory process, a draft final rule is now before the Office of Information and Regulatory Affairs (OIRA) at the Office of Management and Budget (OMB) for its required review. As part of that review process, OIRA/OMB will both accept public comments and schedule meetings with stakeholders to discuss the rule's impact on the regulated community. NAW has submitted comments to OIRA/OMB on behalf of the wholesale distribution industry and our supply chain partners, and we have requested a meeting with OIRA's Director.

Last fall, information provided to us by industry executives enabled us to submit comments to DoL with specific and compelling information on the negative impact of the proposed rule. We believe that information should also be presented to OIRA/OMB and the most effective way to deliver that information is for it to come from business executives themselves. Consequently, the purpose of this alert is to strongly encourage you to submit comments on behalf of your company directly to the agency.

This is not a casual request for your participation – the OIRA/OMB review process is our last chance to have an impact on the content the new overtime regulations. Unfortunately, legal experts do not believe there is an opportunity for a legal challenge to the final rule. While NAW has submitted comments, they cannot possibly be as effective as having the Director of OIRA hear directly from businesses that will be negatively impacted by the rule, many of whose professional salaried staff will have to be reclassified as hourly workers to the detriment of their jobs and careers.

Second, your help is urgently needed on the legislative front as well. Senators Tim Scott (R-SC) and Lamar Alexander (R-TN), and Representatives Tim Walberg (R-MI-7) and John Kline (R-MN-2), recently introduced bills in their respective chambers (S 2707/HR 4773, *Protecting Workplace Advancement and Opportunity Act*) that would prevent DoL from finalizing its rule pending further analysis. NAW has been an active presence on Capitol Hill in support of this legislation, but here too, ***hearing from constituents back home is the most powerful tool in our advocacy "toolbox"*** – particularly in an election year!

It is very easy for you to send comments to OMB and/or your Members of Congress. The Partnership to Protect Workplace Opportunity (the business coalition fighting the overtime rule, which NAW helped organize and now helps manage) has set up a "grass roots portal" on its website, and it's a very simple process to send comments from that site.

Go to: <http://protectingopportunity.org/take-action/>

Click on the "Business" button and proceed through the easy-to-follow steps, first for sending a letter to OMB regarding the DoL regulation, and then for sending letters to your Federal legislators in support of the *Protecting Workplace Advancement and Opportunity Act*.

Out of respect for your valuable time and to be as helpful to you as possible, template letters to both OMB and to Federal legislators are already set up for you. They can be edited and customized as you see fit. Please avail yourself of these tools, and make your voice heard at OMB and on the Hill as soon as you possibly can.

Many thanks for your help at this critical time.

Please take a minute now and go to: <http://protectingopportunity.org/take-action/>