

**FLOOR SCHEDULE FOR WEDNESDAY, MAY 8, 2013**

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
<b>9:00 a.m.: Legislative Business</b>  <b>Fifteen "One Minutes" per side</b>	<b>2:30 – 3:00 p.m.</b>	<b>3:00 – 3:30 p.m.</b>

The House will meet at 9:00 a.m. for legislative business and recess immediately. The House will reconvene at approximately 10:20 a.m. for the purpose of receiving, in a Joint Meeting with the Senate, the Honorable Park Geun-hye, President of the Republic of Korea.

\*\*Members are advised that they should be on the Floor and seated for the Joint Meeting no later than 10:10 a.m.

Following the address, the House will continue with legislative business, starting with one minute speeches. There will be no Morning Hour.

\*\*Members are also advised that today, the House is only expected to consider the Rule for H.R. 807. Tomorrow, the House will complete consideration of the bill.

**H.Res. 202 – Rule providing for consideration of H.R. 807 – “Pay China First Act” (Rep. McClintock – Ways and Means) (One Hour of Debate).** The Rules committee has recommended a structured Rule that provides for one hour of general debate equally divided and controlled by the chair and ranking member of the Committee on Ways and Means. The Rule allows 1 amendment debatable for 10 minutes equally divided between the offeror and an opponent. The Rule allows one motion to recommit, with or without instructions and it also waives all points of order against the legislation.

The Rules Committee rejected a motion by Ms. Slaughter to consider the bill under an open Rule. The committee also blocked numerous Democratic and Republican amendments, which would have made other domestic priorities as important as paying China first in the event of a Republican default. **Members are urged to VOTE NO.**

**Bill Text for H.R. 807:**

[PDF Version](#)

**Background for H.R. 807:**

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

**Complete Consideration of H.R. 1406 – “Pay Working Families Less Act” (Rep. Roby – Education and the Workforce) (One Hour of Debate).** This bill would take away the right workers currently have to overtime pay and instead authorize employers to provide compensatory time off (“comp time”) to private sector employees at a rate of 1.5 hours per hour of overtime employment. It would also require an employer to provide monetary compensation, after the end of a calendar year, for any unused compensatory time off accrued during the preceding year, while prohibiting an employee from accruing more than 160 hours of compensatory time.

The Fair Labor Standards Act (FLSA) implemented the 40 hour workweek to allow workers time to be with their families and create a need for more workers for larger workloads. When workers earn overtime, they receive compensation during the pay period in which they have worked beyond 40 hours. This bill would effectively put an end to the 40 hour work week without any guarantee of proper compensation for extra time worked, and would strip employees of the flexibility to meet workplace and family needs.

The FLSA already allows employers to let their employees earn paid time off. However, under this bill, employers can take all of those wages earned above 40 hours and put them towards future time off controlled by the employer. Employees would not get paid for the overtime work they perform during the current pay period. Instead, they would receive time off later; if that time is unused, they would be paid back at the end of the year. This amounts to a no-interest loan to employers from workers and would encourage employers to demand longer hours because they would receive the benefits of overtime work at no additional cost. Further, there is no language guaranteeing that a worker’s compensatory time would be paid out in the event of bankruptcy or if a business shuts down.

H.R. 1406 also includes no guaranteed right for an employee to use saved compensatory time; employers' only responsibility is to permit employees "to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the employer." The bill includes no language concerning an employer's timely response to an employee's request. It also provides no recourse for employees if the employer deems the time off as "unduly disruptive" to operation. This would mean that not only would employees be away from their families longer by being required to spend more time at work, while being denied overtime pay, but also that employers would also have complete control over compensatory time, even in the case of a personal or family emergency.

This bill has been considered several times since 1996 and claims to provide working families with "flexibility." Instead, it does the exact opposite: it strips employees of rights that the FLSA has provided for nearly 75 years and reduces the flexibility they have to spend time outside the normal work week with their families. In keeping with their "Making Life Work" public relations push, House Republicans once again are using a misleading bill title to hide their repeated attacks on pay and benefits for middle class families. In a time of high unemployment, Republicans should be pursuing measures that create jobs and stability instead of attacking workers' paychecks, benefits and flexibility. **Members are urged to VOTE NO.**

The Rule makes in order 1 amendment, debatable for 10 minutes, equally divided between the offeror and an opponent. The amendment is:

**Reps. Gibson/King (NY)/Meehan Amendment.** Requires the GAO to submit a report to Congress on the usage of compensatory time allowed under the Act and detail any complaints filed or enforcement actions taken for alleged violations of the Act.

**Bill Text for H.R. 1406:**

[PDF Version](#)

**Background for H.R. 1406:**

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

## **TOMORROW'S OUTLOOK**

The GOP Leadership has announced the following schedule for Thursday, May 9: The House will meet at 9:00 a.m. for legislative business. The House is expected to complete consideration of H.R. 807 – "Pay China First Act" (Rep. McClintock – Ways and Means).

### **The Daily Quote**

"Flexibility is a slippery word. To advocates of family-friendly work policy, it means having the ability to have some choice in how you work, where you work and when you work — without putting your job or your career prospects in jeopardy. For the fortunate, generally white collar and well-educated workers who have access to this sort of flexibility, it means being able to work from home, take time off for parent-teacher conferences or perhaps temporarily cut back to a reduced workweek. For low-wage workers, however, flexibility all too often means being at the beck and call of employers. These workers can be — and often are — sent home on a moment's notice (and without pay) when business is slow. They are told to cancel long-scheduled personal days if business picks up, and are sometimes threatened with immediate firing if they can't stay late at work for last-minute overtime because they need to get home to their families. This confusion of meaning was clearly what House Republicans were counting on when they chose the Working Families Flexibility Act as the name of legislation that aims to free businesses from the necessity of providing workers with overtime pay when they labor extra hours...The problem with this lovely sounding legislation is that few employees these days can 'afford' to give up overtime pay, which for many — those in low-wage jobs in particular — is just the extra bit of money that keeps food on the table. These same employees generally can't afford to refuse what's asked of them by their employers. And there's every reason to assume that, if they can legally do it, employers will rush to request that employees take their extra compensation in time off instead of expensive overtime pay."

- TIME Magazine, 5/3/13