

**Statement of Senator Byron Dorgan
Democratic Policy Committee Hearing on the Bush Administration's
Proposed Changes to Overtime Rules**

December 11, 2003

This morning the Democratic Policy Committee will hear testimony about the Administration's proposed regulations to change overtime rules.

Specifically, this proposal would alter the Fair Labor Standards Act in a way that could deny 8 million workers overtime pay. The change in rules would make it much easier for employers to exempt middle-income workers from overtime rules so that they would not be eligible for time-and-a-half pay for hours worked beyond the standard 40-hour workweek.

We invited Labor Secretary Elaine Chao to join us today to provide her perspective on this policy change. Unfortunately, she declined to come. Given the sweeping changes that this proposal represents, and the millions of middle class families that will be impacted, it is regrettable that she was not willing to make herself available to defend those changes.

While the Labor Department has said that it is just a minor change that doesn't affect very much, that is not the case at all.

This is not 'streamlining' -- it is steamrolling. The Administration appears bent on pushing through these changes even though both the House and Senate have voted to block them.

Overtime is something that many people in my state and across the country depend on. Millions of families will be forced to work more hours for less take-home pay if these rules are finalized.

To summarize, while I believe that it is useful to review these regulations from time to time, these proposed rules would make a dramatic reduction in the number of employees who would be eligible for overtime. Millions of families depend on overtime pay to help make ends meet; these new rules have the potential to take overtime pay away from them.

I think that it would have been helpful to have Secretary Chao here to defend and explain the Administration's policy in this area. And I regret that she declined our invitation."