

**Statement by the Honorable Judy Biggert (R-IL)
Subcommittee on Workforce Protections
Hearing on
"Balancing Work and Family: What Policies Best Support
American Families?"
June 21, 2007**

Thank you Madam Chair, I appreciate the opportunity to testify. I commend you for holding this hearing today. The issue of work-family balance is an important one that impacts most, if not all workers, at some point in their lives.

The American workplace has undergone a dramatic change in composition, character, and demands. What was previously a static, agriculture and manufacturing-based economy with a mostly male workforce has evolved into a fast-paced, global services and high technology environment with nearly equal numbers of women and men in the workforce.

The movement of mothers into the workplace has brought new challenges for American families. Families with two working parents

now make up the majority of American families. Nearly two-thirds of all mothers with children under age three are currently in the workforce. Yet, these changes in the workplace and in the workforce have not been reflected in the law.

As you will no doubt hear from the second panel of witnesses, Americans feel very strongly about trying to achieve a reasonable balance between the demands of a job and the responsibilities of a family. While these challenges perhaps confront working mothers to a greater degree, many workers – both men and women – are willing to make sacrifices in their jobs, careers and education to achieve more balance in their personal lives.

Providing working men and women with more control over their work schedules should be a “no brainer.” Unfortunately, private sector employees and employers alike are constrained by the 1938 Fair Labor Standards Act or “the FLSA.” I think it’s fair to say that the FLSA does

not permit a great deal of flexibility, because it was designed for a different workforce with different needs.

This subcommittee previously held a number of hearings on the FLSA. Out of those hearings came a number of proposals, perhaps the most significant of which was the “Family Time Flexibility Act,” or the so-called “comp time” bill. The concept behind the bill was simple: it was designed to help working men and women better manage work and family pressures by providing them with increased flexibility to spend quality time with their families. The bill proposed a common-sense solution: to allow private sector employees a choice that their colleagues working in federal, state and local governments have had for many years. That choice is the option of cash wages or paid time-and-a-half off as compensation for working overtime hours.

I’m not suggesting that employees should be *required* to take compensatory time instead of overtime pay. Nor am I suggesting that

we alter the way that overtime pay is calculated or the 40-hour workweek.

What I am suggesting is that we allow private sector employers and employees, where there is agreement, to have the option of using comp time – paid time-and-a-half off – in lieu of overtime pay.

Employees could then decide, based on their needs and that of their families, whether to choose paid time off or extra pay for working overtime.

Obviously, there will always be working men and women who want and need the extra pay that comes from working overtime hours. Likewise, there may be some employers who decide that comp time just doesn't work for their particular business. But in situations where employers and employees can agree, Congress ought to allow hard-working men and women to choose for themselves either overtime pay or paid time-and-a-half off.

I would note that this is an issue which has previously enjoyed bipartisan support. During the 104th Congress, then-President Clinton transmitted his own comp time proposal to Congress. The Chairman of the Full Committee, George Miller, offered his own comp time substitute amendment on the House floor, when the issue was considered and passed by the whole House.

In closing, I would encourage the Subcommittee to consider a comp time option for private sector workers. It would be good for workers, good for women, and especially good for families because it would help them to better manage their personal and professional obligations. I would hope my colleagues can agree that employees and employers should not be prevented -- by an outdated law from 1938 -- from agreeing upon options that provide additional flexibility in work schedules. Thank you again, Madam Chair, for the opportunity to testify.