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Comp Time - Talking Points

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TALKING POINTS ON PRESIDENT CLINTON'S COMP TIME PROPOSAL
Thursday, May 15, 1997

The President's Proposal Offers Employees Real Choice and Flexibility;
The Ashcroft Bill Gives All the Choice -- and all the Control -- to Employers

President Clinton's comp time proposal strengthens families by offering employees choice and flexibility:

- If they work overtime, they can be paid time and a half, as the law now requires, or they can take that payment in time-off to be with their families -- an hour-and-a-half off for every hour of overtime they have worked.
- Simply put, employees make the choice that is best for them -- money in the bank or time on the clock. That means more choice, and more flexibility, for working families.
- Comp time can be used for vacation, extended maternity leave, or to spend more time with one's children or parents -- making it easier to raise children and balance the obligations of home and work.

The Republican version of "comp time" legislation that is up for a vote today would make families worse off than they are today -- taking away their choice and flexibility, often denying them the benefit of time-and-a-half for overtime worked, and effectively repealing the 40-hour workweek.

Under the Ashcroft Bill, now awaiting a vote in the Senate:

- Some employees who work an extra hour would get only an hour off -- less overtime than they would be eligible for today, or under the President's proposal. *That's money out of their pocket.*
- Employers can force employees to make up their time off -- for example, by making them work over the weekend without paying time-and-a-half. *They could not do this under the President's proposal.*
- Employers can deny employees' request to use comp time for critical family needs by claiming the business would be "unduly disrupted." *They could not do this under the President's proposal.*
- Employers can decide to cash out an employee's earned comp time above 80 hours at any time with 30 days notice, even if the employee had a long-planned use for it -- such as maternity leave. *They could not do this under the President's proposal.*

- Employees are not adequately protected against losing the cash value of the comp time they have worked for and earned if their employer goes bankrupt. *The President's proposal offers this crucial protection.*
- Employers can eliminate paid leave plans and replace them with comp time plans, leaving employees worse off. *This is flatly prohibited under the President's proposal.*

THE CLINTON AND ASHCROFT BILLS ARE LIKE NIGHT AND DAY:

- *The Ashcroft bill ends the 40 hour work week and the basic right to time-and-a-half pay for overtime work. The President's bill protects and guarantees them.*
- *The Ashcroft bill gives employers all the control and flexibility. The President's proposal gives more choice, control and flexibility to employees and their families.*
- *The Ashcroft bill offers no protection against unscrupulous employers. The President's proposal does.*

The vast majority of our employers will be fair to their workers under any system. But as we modernize our laws to fit a changing workplace we have to uphold historic safeguards for all our employees. It should be up to employees and their families, not employers, who should choose if, when and how they take and use comp time.

As President Clinton said in his March 22 Radio Address: "The moment a responsible comp time bill hits my desk I will gladly sign it...[but] I will have to veto any legislation that fails to guarantee real choice for employees, real protection against employer abuse, and real preservation of fair labor standards including the 40-hour week."