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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. ADERHOLT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 19, 2003.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT) for 5 minutes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested.

S. 459. An act to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public officer survivor benefits.

S. 535. An act to provide Capitol-flown flags to the families of law enforcement officers and firefighters killed in the line of duty.

THE FAMILY TIME FLEXIBILITY ACT

Mrs. BIGGERT. Mr. Speaker, one of the biggest challenges working men and women face today is balancing the needs of family with demands of work schedules. This conflict may weigh most heavily on women; but all workers, regardless of gender, experience conflict between work and family, watching their child's soccer game or going through the stack of papers on their desk.

To address this problem, I introduced the Family Time Flexibility Act, legislation that would provide hourly workers the option of taking paid time and a half off in lieu of time and a half pay for hours worked overtime. This concept is a very simple one. If workers have to work overtime, they should be allowed to choose how they are compensated, with more money or paid time off.

The editorial page of the Detroit News recently weighed in on this important topic by saying: "Having more flexible hours is among the top wishes of working parents in this country. But an archaic Federal law has become a big impediment to parents and other workers in getting their wish."

Mr. Speaker, this "archaic" law, the 1938 Fair Labor Standards Act, has been frozen for more than 60 years, locked in a time when women worked in the home, most families had only one wage earner, and nobody went to their kids' soccer games. Times have changed. Families have changed, and the workforce has changed. Yet the law has not changed. We know that workers in Federal, State, and local governments are permitted to choose time and a half off for working overtime hours and thus enjoy a great deal more flexibility than their private sector counterparts. Federal workers use it and like it. Police officers use it and like it. Park district workers use it and like it. In fact, one employee back in

my district in suburban Chicago told me that he banks plenty of overtime hours plowing the snow during the long winter months and that allows him to take a longer vacation or spend more time with his family later during the few months when the weather is actually nice in Chicago.

For some employees, time can be more valuable than money, particularly if they have been putting in a lot of overtime hours. Their spouses begin to wonder if they are married to their job. Their children begin to forget what they look like. Their paychecks are growing, but they really would rather have just a little more time and a little more money. Most workers just want the freedom to make that choice for themselves, and many employers would like to offer them that choice. That is what this bill does. It gives employees choice and flexibility, and it gives employers another option to offer those employees who want it.

That is what the bill does. Here is what the bill does not do: this bill in no way affects the sanctity, the primacy, or the inviolability of the 40-hour work week. Let me repeat. The 40-hour work week is the law. Under this bill, an employee would earn overtime in the very same way that he or she currently does, by working more than 40 hours in a 7-day period. The bill does not alter the way that overtime is calculated. What this bill does not do is require employees to take compensatory time or require employers to offer it. In fact, this bill contains numerous safeguards to protect the employee and to ensure that the choice and selection of compensatory time is truly voluntary on the part of the employee.

This bill does not give employers all the choices. Where necessary, there are effective sanctions under the bill and the Fair Labor Standards Act for employers who violate the employee protections and other provisions of this

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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