NFIB

The Voice of Small Business.

October 8, 2013

The Honorable Todd Young
1007 Longworth House Office Building
Washington, DC 20515

Dear Representative Young:

On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business organization, thank you for introducing H.R. 2575, the Save American Workers Act of 2013, which would replace the new 30-hour per week full-time or full-time equivalent (FTE) employee definition in the Patient Protection and Affordable Care Act (PPACA) with a 40-hour per week definition.

NFIB testified before the House of Representatives Small Business Committee in April that the new definition is "one of the most dangerous parts in the law." Many small businesses have a combination of full-time, part-time and seasonal workers. In order to maintain this type of workforce *and* comply with the new definition, small employers will be forced to spend significant time and resources each month carefully tracking and monitoring employees' hours of service and spend less time running their businesses.

PPACA marks the first time that "full-time" is expressly defined in law. Prior to PPACA's enactment, the determination was left up to the employer.[1] Similarly, the Fair Labor Standards Act has long dictated that overtime pay starts after 40-hours per week.[2] Thus, employers and employees have long understood "full-time" to be equivalent to 40-hours per week.

The 30-hour full-time definition is already resulting in less opportunities, fewer hours, and lower income for employees. Small businesses are already being forced to shrink their workforce below the 50 employee threshold in preparation for the costly mandate.

NFIB commends you for introducing this important, bipartisan small-business legislation. We look forward to working with you on this and other matters important to small business in the 113th Congress.

Sincerely,

Susan Eckerly

Susan Eckerly
Senior Vice President
Public Policy

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[1] http://www.dol.gov/dol/topic/workhours/full-time.htm
[2] http://www.dol.gov/whd/overtime_pay.htm