



**BOYS & GIRLS CLUBS
OF AMERICA**

September 4, 2015

Mr. Thomas E. Perez
Secretary of Labor
U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210

Dear Secretary Perez:

Boys & Girls Clubs of America (BGCA) appreciates the opportunity to submit comments to the Department of Labor concerning Proposed Changes to the Fair Labor Standards Act (FLSA) Overtime Regulations.

As a federation of some 1,150 local, autonomous non-profit organizations serving almost 4,000 communities across the country and on U.S. military bases worldwide, BGCA is one of the nation's largest providers of youth programs and services, with a special focus on children and families most in need.

Last year Boys & Girls Clubs served almost 4 million young people, with outcome-driven youth development programs focused on academic success, good character and citizenship, and healthy lifestyles. They provide a safe place, caring adult mentors, fun, friendship, and enrichment on a daily basis during critical non-school hours, often in locations with few if any alternatives for the families and children who live there. In These include inner-city neighborhoods, public housing developments, small towns and on Native lands.

BGCA solicited comments from its affiliates on the Proposed Changes, asking that they thoroughly examine the potential impact on current positions, on the ability to handle workload and deliver critical outcomes, and on their budget.

BGCA's affiliates were unanimous in expressing grave concerns about the impact of the changes on their operations. The points that resonated throughout the responses include the following:

- Reclassifying current exempt employees to non-exempt would curtail the flexibility needed to complete their assigned responsibilities and duties.
- Increasing salaries to be in compliance with the proposed changes would require a considerable increase in annual budgets (average increase: \$183,800. This would translate to more than \$200 Million annually in additional costs for Boys & Girls Clubs nationwide.)
- The changes would force major reductions in the number of hours we operate, and youth we can serve.

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- We would be forced to cut services and serve a reduced number of children to maintain safe staffing ratios.
- As a nonprofit serving children and families in local neighborhoods and communities, our mission requires a culture of balance and flexibility for our workforce, to accommodate the many field trips, evening programs, weekend events, as well as emergencies and other unforeseen circumstances, that our work entails. These changes would have a drastic impact on our reach and effectiveness.
- These changes would negatively impact staff flexibility, morale, job satisfaction, retention, and professional growth and development.
- An exemption or separate plan should be considered for the nonprofit sector.
- A graduated multi-year plan should be considered, as opposed to more than doubling the salary threshold in a short timeframe.

As a result of the severe impact these changes would impart on our local affiliates and their capacity as vital service providers in their communities, BGCA is opposed to the Proposed Changes as currently structured. Our ultimate concern centers on the kids who need us most, who might be denied the opportunity to benefit from the Boys & Girls Club experience that they and their families depend on today.

Thank you for soliciting and considering our input on this critical matter. We know from conferring with our colleague organizations that these serious concerns are shared widely throughout the non-profit sector and the youth development field, reflecting the damaging effect they would have on services and support for those most in need in our nation.

We welcome the opportunity to contribute further analysis and comment as the evaluation process progresses.

Sincerely,



James L. Clark
President and CEO