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September 2, 2015

Mary Ziegler  
Director of the Division of Regulations, Legislation, and Interpretation  
Wage and Hour Division, U.S. Department of Labor, Room S-3502  
200 Constitution Ave. NW  
Washington, DC 20210

RE: RIN – 1235-AA11

As the Chief Executive Officer of the Presbyterian Night Shelter your proposed changes to the federal regulations outlining who is eligible for overtime pay are a great concern to me and the shelter. As CEO of a homeless shelter I am opposed to the Department of Labor's proposed rule as it will effectively demote a number of employees from an exempt to hourly classification resulting in hardship to the agency.

At this time 52% of our operating budget is based solely on individual and foundation contributions. Revenue for providing the services needed and wages to our employees is already a challenge. For example 40 out of 97 employees currently qualify as exempt employees under the current guidelines and having to reclassify would be detrimental to our agency. If the proposed rule becomes final that will make 5 out of 97 employees qualifying for exempt. The majority of these jobs require more than a 40-hour work week with such things as special event planning and meetings outside of the normal work day. By having to reclassify these positions it would take away from the needs of the clients as well as agency funding.

I do not disagree with an increase that is reasonable, in fact, our starting wage is above the current minimum wage. However, to set the standard salary level at the 40<sup>th</sup> percentile of weekly earnings for full-time salaried employees, or \$970 per week or \$50,440 per year is extremely high. I ask that you take into consideration non-profits and small businesses in this proposal by lowering the standard to a reasonable amount.

Respectfully,

A handwritten signature in blue ink, appearing to read "Toby Owen", with a long horizontal flourish extending to the right.

Toby Owen  
Chief Executive Officer