



American Federation  
of Teachers, AFL-CIO

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AFT Teachers  
AFT PSRP  
AFT Higher Education  
AFT Public Employees  
AFT Healthcare

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March 27, 2012

United States Senate  
Washington, D.C. 20510

Dear Senator:

On behalf of the more than 1.5 million members of the American Federation of Teachers, I urge you to oppose the Computer Professionals Update Act (S. 1747).

This legislation wrongfully expands the qualifications for overtime exemption status under the Fair Labor Standards Act. As a result, virtually any computer worker, regardless of his or her responsibilities, will no longer be afforded overtime protections.

The Fair Labor Standards Act of 1938 sets the standard for a 40-hour work week by requiring employers to pay their employees time-and-a-half for overtime hours in excess of 40 hours per week. Currently, overtime eligibility regulations allow employers to exempt from overtime eligibility certain computer workers who earn as little as \$455 per week.

Specifically, the current law exempts computer-related occupations that involve the application of systems analysis techniques, design and development of computer systems and programs, and creation or modification of computer programs. Workers who perform these duties are classified as "computer professionals." As the law is currently written, this is a narrow exemption. S. 1747 would expand this exemption to cover other computer-related occupations that are more routine and require less analysis, such as configuring, integrating and debugging computer systems.

Such an expansion in the FLSA would essentially eliminate overtime eligibility for any employee who works with computers but is not currently considered a "computer professional" under the law. The AFT represents thousands of dedicated public employees who would be affected by this change.

Instead of supporting corporate efforts to narrow overtime eligibility for certain groups of workers, and thus making it harder for working men and women to earn a decent living, Congress should focus on creating jobs and strengthening our middle class.

Thank you for your consideration of the AFT's views on this very important matter.

Sincerely,

Kristor W. Cowan  
Director, Legislation

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