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June 8, 2016

Members of the Subcommittee on Labor, Health and  
Human Services, Education, Related Agencies  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

Dear Senator:

On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I am writing to urge you to vote against any harmful policy riders on the Labor, Health and Human Services and Education (Labor-HHS) Appropriations bill. I also strongly urge you to increase funding levels for all labor, health, and education programs rather than concentrating limited resources in a few select areas. For too long now the funding accounts in this bill have been held to unreasonably low levels as a way to undermine the federal government's essential role to address the needs of working families.

In recent years, Labor-HHS has been loaded up with harmful poison pills to block the implementation of beneficial policies that help working families, improve public health, and support students and teachers. Annual spending bills should not be used to push through harmful riders that make substantive policy changes. Policy changes should proceed through regular order to ensure careful consideration by congressional authorizing committees with policy expertise and jurisdiction. AFSCME supports efforts to pass clean bills free of ideological riders.

AFSCME is especially concerned about riders impacting the Department of Labor (DOL), the National Labor Relations Board (NLRB), and the Affordable Care Act (ACA). Among the most damaging riders that could be proposed are those which would block investment advisors from acting in their clients' best interests, overturn the rule to extend overtime protections for low-wage employees, and block an updated Occupational Safety and Health Administration (OSHA) rule to protect workers from silica dust.

The recently issued DOL Best Interest Rule (i.e. Fiduciary Rule) is needed to end investment advisors' conflicts of interest and to ensure investment advice is in the clients' best interest. The carefully crafted rule is an important step toward protecting Americans' retirement savings against predatory practices that contribute to our nation's growing retirement crisis. Furthermore, conflicting advice costs hard working families \$17 billion in losses every year. AFSCME strongly supports the new commonsense rule that protects working people.

**American Federation of State, County and Municipal Employees, AFL-CIO**

TEL (202) 429-1000 FAX (202) 429-1293 TDD (202) 659-0446 WEB [www.afscme.org](http://www.afscme.org) 1625 L Street, NW, Washington, DC 20036-5687

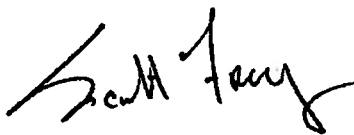
The new DOL overtime regulations, which take effect on December 1, 2016, are a huge victory for middle-class workers. Approximately 12.5 million people will benefit from workers' increased wages or have more free time for themselves and their families. This rule represents an important step toward fairer pay for women, people of color and young workers who are overrepresented in lower-paying jobs and often required to work additional hours without compensation.

AFSCME urges Senators to oppose any efforts to block implementation of the overtime rule or carve out specific work places, such as non-profit organizations and/or institutions of higher education. The impact on these sectors has been vastly overstated. Many employees of nonprofits who perform charitable operations are not engaged in "commercial sales" or "business transactions" that lead to "enterprise" coverage under the FLSA. For universities, the majority of their workers are already exempt from FLSA overtime coverage, including professors, instructors, coaches, counselors, and most teaching assistants. These employees are no less deserving of protections from working long hours with no pay than any other workers.

The updated silica standard is needed to protect workers from exposure to respirable crystalline silica — a deadly dust that causes silicosis, lung cancer and kidney disease and other severe medical problems. Over 2 million workers – including roughly 275,000 AFSCME members that work in public works, maintenance and highway departments – will gain protection under OSHA's rule. AFSCME urges you to oppose any efforts to block or weaken the rule.

AFSCME urges the Senate to continue its bipartisan work to consider the funding needs of working families and to pass clean spending bills free of ideological riders.

Sincerely,

A handwritten signature in black ink that reads "Scott Frey". The signature is written in a cursive, flowing style.

Scott Frey  
Director of Federal Government Affairs

SF:BL:rf