

August 5, 2015

**VIA ELECTRONIC SUBMISSION: [www.regulations.gov](http://www.regulations.gov)**

Mary Ziegler  
Director  
Division of Regulations, Legislation and Interpretation  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W. Room S-3502  
Washington, D.C. 20210

**Re: Request for 60-day Extension of Comment Deadline for Proposed Rulemaking Regarding Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees (80 Fed. Reg. 38515, July 6, 2015), RIN: 1235-AA11**

Dear Ms. Ziegler:

We, the 147 undersigned organizations, request an extension of the comment period for the Proposed Rule published at 80 Fed. Reg. 38515 (July 6, 2015) related to overtime compensation. This multi-part proposal is particularly complex for the more than 1.5 million charitable organizations across America, as each attempts to determine not only the proposal's potential impact on its own workforce, but also on the individuals and communities it serves. Given these multi-level considerations unique to our sector, the proposed 60-day comment period does not provide our sector sufficient time to analyze properly and respond thoroughly to the proposed rules. **We therefore respectfully request that the comment period be extended for an additional 60 days, to November 3, 2015.**

Like other sectors and industries, we recognize that the proposed rules may lead to significant changes in the way we manage our staffs and budgets. Unlike for these other potential respondents, however, new wage and compensation structures may also result in a fundamental shift -- either positive or negative depending on the missions of individual organizations -- in the type and volume of community needs our sector can address. This requires a secondary, higher-level analysis of these rules' impact on our programming.

Leaders at charitable nonprofits share with their counterparts a desire to balance staff compensation, family-friendly human resource policies, demand for services, and revenue constraints. What distinguishes these decisions for charitable nonprofit leaders is that "demand" in our case is the need for programs and services that feed hungry families, protect endangered species, preserve cultural heritage, and improve economic conditions for struggling communities, among a vast array of other vital charitable work. The proposed changes to overtime pay eligibility could affect this need, again either positively or negatively. Similarly distinct, "supply" for our sector is the capacity for our immensely dedicated and committed staff, volunteers, and Boards to carry out this important work while also sustaining their own livelihoods for themselves and for their families. Leaders of

charitable nonprofits thus require additional time to evaluate how the proposed rules may affect their ability to continue balancing these factors as they work to advance their various missions.

Charitable nonprofits operate in every state, county, municipality, and community in America. Whereas economists attempt to predict the impact of the proposed overtime regulations based on years-old data, nonprofits experience the consequences of economic conditions every day as they see the number of people seeking meals or shelter rise or fall. They know first-hand and almost immediately whether the economy in their local community is improving, stagnant, or declining. Charitable nonprofits, more than any other segment of the economy, are in regular contact with the individuals the proposed regulations are designed to protect. There can be no question that the regulatory process and the final product would benefit tremendously from the input of this vital source of up-to-date information about how things are working today in thousands of communities across the country.

However, the current 60-day comment period, falling in July and August, is ill-suited to generating the vital information that nonprofits can provide. As stated, charitable nonprofits experience current economic trends that have not yet been studied by the economists. New data must be collected and analyzed to benefit the rulemaking process; 60 days is too short of a turnaround period, especially since most charitable nonprofits are small and do not have staff dedicated to writing comments for submission to the federal government. Further, while millions of individuals (including nonprofit board members) take vacations in July and August – a fact which itself militates in favor of extending the comment period beyond the summer – many nonprofits experience increased demand for program services during these months. Summer camps, summer lunch programs, and conservation construction programs are just three of very many programs that are at peak performance when the current comment period is calling on individuals to devote considerable attention to researching data, formalizing positions on behalf of organizations and filing comments.

The organizations listed below believe that the requested 60-day extension, through November 3, 2015, will enable nonprofits to provide more meaningful feedback on the proposed changes to current overtime pay regulations. Granting sufficient time to provide what we aim to be a robust set of comments will be much more valuable to all parties involved in this process, which is particularly important when considering the profound effects the proposed changes may have on nonprofits and the communities we serve.

Thank you for your consideration.

Sincerely,

Alabama Association of Nonprofits  
Albertina Kerr Centers  
Alliance for Nonprofit Excellence  
Alliance for Positive Health  
Alliance for Strong Families and Communities  
Alliance of Arizona Nonprofits  
American Alliance of Museums  
American Autoimmune Related Diseases Association  
American Red Cross

Americans for the Arts  
Amina's Community Health Center  
Ann Arbor Area Community Foundation  
Arkansas Nonprofit Alliance  
Association of Art Museum Directors  
Association of Fundraising Professionals  
Bayer Center for Nonprofit Management at RMU  
Bean's Cafe/The Children's Lunchbox  
BoardSource  
Boys & Girls Clubs of Manatee County  
Breakthrough Miami Inc.  
California Association of Local Conservation Corps  
California Association of Nonprofits  
California Council of Land Trusts  
California Institute of the Arts  
Camp Fire National Headquarters  
Capital Roots  
Catholic Charities of Santa Clara  
Catholic Charities USA  
Center for Nonprofit Management  
Center for Non-Profits (NJ)  
Child & Family Services of Southwestern Michigan, Inc.  
Child Care Council of Dutchess and Putnam, Inc.  
Children's Services Council of Broward  
Colorado Nonprofit Association  
Commerce Chenango  
CommonGood Vermont  
Connecticut Association of Nonprofits  
Connecticut Nonprofit Human Services Alliance  
Conservation Corps Minnesota & Iowa  
Conservation Legacy  
Council on Foundations  
Cultural Data Project  
Dance/USA  
Daniel Iroegbu Global Dental Health Care Foundation  
Delaware Alliance for Nonprofit Advancement  
DePelchin Children's Center  
Detroit Public Schools Foundation  
Donors Forum  
Easter Seals, Inc.  
Fair Housing Opportunities of NW Ohio, Inc.  
Family Service of Roanoke Valley  
Florida Association of Nonprofit Organizations  
Florida Nonprofit Alliance  
Focus: HOPE  
Foundation for the Mid South  
Genesys Works  
Girl Scouts of Southeastern Michigan  
Girl Scouts of the USA

God's Pantry Food Bank  
Good Samaritan Health & Wellness Center  
Greater Philadelphia Cultural Alliance  
Hawaii Alliance of Nonprofit Organizations  
HEGA Rural Transportation  
Hopelink  
Human Services Council  
Independent Sector  
Indiana Philanthropy Alliance  
InsideNGO  
InterAction  
Jewish Family Service of Los Angeles  
Kentucky Nonprofit Network  
Lakeside Community Committee  
LeadingAge  
League of American Orchestras  
Legacy Foundation, Inc.  
Lighthouse of Hope Counseling Center  
Louisiana Association of Nonprofit Organizations (LANO)  
Lutheran Family Services of Nebraska  
Lutheran Family Services of Virginia  
Lutheran Services in America  
Lutheran Social Services of South Dakota  
Maine Association of Nonprofits  
Maryland Nonprofits  
Michigan Nonprofit Association  
Mid-Florida Area Agency on Aging  
Minnesota Council of Nonprofits  
Mississippi Center for Nonprofits  
Montana Conservation Corps  
Montana Nonprofit Association  
Montana Wilderness Association  
National Children's Alliance  
National Council of Nonprofits  
National Human Services Assembly  
National Multiple Sclerosis Society  
New York Council of Nonprofits, Inc. (NYCON)  
Nonprofit Association of Oregon  
Nonprofit Association of the Midlands  
Nonprofit Coordinating Committee of New York  
Nonprofit Missouri  
North Carolina Center for Nonprofits  
North Dakota Association of Nonprofit Organizations  
Northwest Venture Philanthropy  
Northwest Youth Corps  
Oakland East Bay Symphony  
Oklahoma Center for Nonprofits  
OPERA America  
Palm Beach Habilitation Center

Pennsylvania Association of Nonprofit Organizations  
Phipps Neighborhoods  
Port Townsend Marine Science Center  
Providers' Council  
Public Health Solutions  
Red Rooster Group  
Rocky Mountain Youth Corps  
Skills'kin  
Smith & Howard PC  
South Carolina Association of Nonprofit Organizations  
Texas Association of Nonprofit Organizations  
The Boston Foundation  
The Field Museum  
The Foraker Group  
The Henry Ford  
The Jewish Federations of North America  
The Legal Project  
The Milligan Foundation  
The Philanthropy Roundtable  
The Rockefeller Foundation  
The Viscardi Center  
Theatre Communications Group  
Travelers Aid International  
Travelers Aid Society of San Diego  
United Cerebral Palsy  
United Community Ministries  
Upbring  
Utah Nonprofits Association  
VISIONS/Services for the Blind and Visually Impaired  
VisionServe Alliance  
Volunteers for Outdoor Colorado  
Volunteers of America  
Walton Okaloosa Council on Aging  
Washington Nonprofits  
West Virginia Association of Nonprofits  
Westchester Community Opportunity Program  
Wisconsin Nonprofits Association  
Woodruff Arts Center  
Wyoming Nonprofit Network  
YMCA of the USA