



## PARTNERSHIP FOR EMPLOYER-SPONSORED COVERAGE

May 17, 2019

The Honorable Jackie Walorski (IN-02)  
U.S. House of Representatives  
419 Cannon House Office Building  
Washington, D.C. 20515

The Honorable Mike Kelly (PA-16)  
U.S. House of Representatives  
1707 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Dan Lipinski (IL-03)  
U.S. House of Representatives  
2346 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Collin Peterson (MN-07)  
U.S. House of Representatives  
2204 Rayburn House Office Building  
Washington, D.C. 20515

Dear Representatives Walorski, Lipinski, Kelly and Peterson:

On behalf of the Partnership for Employer-Sponsored Coverage, we write with our endorsement of the *Employee Flexibility Act of 2019, H.R. 2782*, to amend the work week threshold under Affordable Care Act (ACA). We appreciate your leadership on this important reform effort to provide employees with the ability to pick-up and trade shifts and employers with compliance relief.

The Partnership for Employer-Sponsored Coverage is committed to ensuring that employer-sponsored coverage is strengthened and remains a viable, affordable option for decades to come. Employer-sponsored coverage has been the backbone of our nation's health system for nearly eight decades. Employers have a vested interest in health care quality, value, and system viability.

The Fair Labor Standards Act (FLSA) has been the standard of defining full-time employment as 40 hours per week since the late 1930's. The ACA full-time threshold for an offer of employer-sponsored coverage at 30 hours per week was based on eligibility for Medicaid expansion coverage, not on workforce policy or the FLSA.

H.R. 2782 restores an employee's ability to pick-up and trade shifts by aligning the ACA coverage requirement with the FLSA standard at 40 hours per week. The 30-hour threshold fundamentally changed workforce policy and business operations as prior to the law, many industries did not designate employees as full-time or part-time. Since implementation of the 30-hour threshold, variable-hour and part-time employees have lost the flexibility to add or trade shifts.

We applaud you for introducing the *Employee Flexibility Act of 2019* to provide employees with the flexibility to gain hours and increase their paychecks and provide employers with compliance relief by implementing a standard consistent with the FLSA requirement.

Sincerely,

American Hotel & Lodging Association  
American Rental Association  
American Staffing Association  
Associated Builders and Contractors, Inc.  
Associated General Contractors of America  
Auto Care Association  
The Council of Insurance Agents & Brokers  
Food Marketing Institute  
HR policy Association  
International Franchise Association

National Association of Health Underwriters  
National Association of Wholesaler-Distributors  
National Restaurant Association  
National Retail Federation  
Retail Industry Leaders Association  
Society of American Florists  
Society for Human Resource Management