



## PARTNERSHIP FOR EMPLOYER-SPONSORED COVERAGE

May 17, 2019

The Honorable Todd Young (IN)  
U.S. Senate  
185 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable John Barrasso (WY)  
U.S. Senate  
307 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Joe Manchin (WV)  
U.S. Senate  
306 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Kyrsten Sinema (AZ)  
U.S. Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senators Young, Manchin, Barrasso and Sinema:

On behalf of the Partnership for Employer-Sponsored Coverage, we write with our endorsement of the *Employee Flexibility Act of 2019, S. 1510*, 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.

S. 1510 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