


Another View: Habitat director's claims aside, overtime exemption would not be an undue burden on Maine's nonprofits

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By Andy Schmidt

I'm somewhat dismayed by [the May 18 Maine Voices](#) by Godfrey Wood, executive director of Habitat for Humanity Greater Portland, attacking the new U.S. Department of Labor overtime rules that require employees paid under \$47,500 a year to be paid overtime.

The argument that this is a deadly burden on the nonprofit sector is bizarre. Nonprofits can continue to pay people salaries of less than \$47,500. They just have to either let them go home to their families after 40 hours, or pay slightly more when emergencies make them stay late.

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Congress mandated overtime pay under the New Deal because employers had the power to force desperate workers to work as many hours as possible. The idea was to incentivize employers to allow the workers to go home, and to force them to spread the work out by hiring more people. They carved out salaried executive, professional and administrative employees because their high salaries and unique job responsibilities necessitated an exception.

But employers started trying to pretend that everyone was a highly skilled manager. The definition of "highly paid" employee hasn't been adjusted appropriately, and currently workers getting just \$455 a week can be considered exempt. The Obama administration is changing this to carve out only workers making \$913.

This will protect the assistant manager at the fast-food restaurant from the employer that realizes there is no reason not to make him work more hours. And it will protect the noble people who are willing to work as professionals at nonprofits making low salaries.

The combination of low salaries and high child-care costs keeps many "professionals" in the nonprofit sector one bad stroke of luck from poverty. This rule will allow them to spend less on child care, or to have more time to volunteer with Habitat.

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