



## Comp Time Bill Faces Uphill Battle With Senate Democrats

News

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The May 9 *Law360* article ["Comp Time Bill Faces Uphill Battle With Senate Democrats"](#) included a quote by Atlanta attorney Ted Boehm. The article reported on a bill called the Working Families Flexibility Act of 2012 that was recently passed by the U.S. House and is now in the hands of the Senate. The controversial legislation would allow private-sector employers to offer paid time off or "comp time" in lieu of overtime compensation. Proponents of the bill say it's a win for employers and workers, but critics have called the bill an "empty promise" and do not expect the bill to become law. While there is support for comp time legislation, Ted noted that ambiguities in the bill could prove to be fertile ground for disputes, adding to the already booming amount of Fair Labor Standards Act litigation employers are facing. Disputes over when comp time can be used are inevitable and calculating the "regular rate" workers would get if they cash out their comp time could prove problematic. Ted pointed out that, "It's entirely possible that this will increase FLSA litigation, and particularly a new type of FLSA litigation."

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