

WORKING FOR NOTHING

by Alison Parker

The Fate of Overtime Pay in a Bush World



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For the last 5 years, Sarah Wilson has worked as a secretary for a large company, a corporate giant in charge of making hair-care and cleansing products. Due to college loans, maxed-out credit cards, steep rent bills, and high car insurance payments, her 9 dollar an hour pay has been a struggle, and on the occasional late nights at the office, her overtime pay sure makes a difference. "When those bills start coming in, the extra money on my paycheck really helps out," Wilson says. "There have been some months where it's really helped me to scrape by."

It seemed not even a nanosecond had passed after Bush's proposal to "strengthen overtime for the most vulnerable low-wage workers" before the administration's Department of Labor released a hush-hush report instructing employers how to avoid paying workers overtime. The central seedy tactic suggested by the DOL is for employers to reclassify workers as "managers", "administrative" or "professional" employees. This upgrade of the name-game will make it so low-paid workers become ineligible for time-and-a-half pay when working more than 8 hours a day, 40 hours a week. Labor union studies suggest that close to 8 million workers will lose their overtime pay. The workers in the long list of the affected include nurses, cooks, bookkeepers, firefighters, and secretaries.

The abuse of overtime has already been a long-time underground struggle for many working under large corporations. Walmart may be perhaps one of the most prominent of examples. Walmart's squirrely practices of forcing hourly-wage workers to stay past punchout time without pay has created thousands to sue. Currently, Walmart has about 38 lawsuits in

30 states under its massive belt. Many farmworkers have also fallen victim to such slithery practices, such as Taco Bell's tomato pickers in Florida, forced to work payless overtime at the hands of their supervisors.

With the DOL's proposed suggestion, the danger heightens for these workers and others to come. The idea of overtime pay is to protect the worker from sweatshop-like conditions; without it, the employee has no protection from such master-and-slave practices. Thanks to the DOL's report, well-off employers are protected from things like big-time lawsuits, replacing the basic protections of the low-wage worker, from things like abuse and poverty. If one thing is true, it's that employers hate to pay overtime, but many have no qualms about receiving the unpaid help.

Orlando Diaz, who has been working in retail for the past 3 years, says it is vital to have overtime protection for the relationship dynamic between him and his employer; "It would definitely make the employee-employer relationship more adversarial if they had the power to refuse to pay me." Power, though, seems to be exactly what the DOL has in mind with the written report, the suggested tactics having the ability to strengthen the already terrifying amount of high-ranking employer and corporate power, to a degree of immorality. However, such a plan fits in nicely with the Bush administration's string of anti-human rights acts and proposals. With more and more Big Brother-esque laws underway, and with abortion rights and affirmative action under constant fire, labor rights seem to be the next logical target for the further diminishment of human justice and equality. "The hourly wage system is supposed to depend on the direct relationship between time worked and money earned," says Diaz, "to deconstruct that would leave employees even less job security than they already have."