



Date: March 10, 2019
To: CORE Member Agencies
From: Don Forrester, Executive Director
Subject: February 2019 Monthly Report

- **Legislative**

Children's issues weren't the priority of the nation's legislative focus during the month of February. Consequently, I don't have much to report from February 2019.

S. 107 - State Flexibility Family Transformation Act

The State Flexibility Family Transformation Act filed by Senator Marco Rubio (R-FL) and Senator Dianne Feinstein (D-CAL) continues to be assigned to the Finance Committee. There was speculation by some that the possibility existed that the legislation would be tacked on to the funding bill. Reportedly, that did not happen.

Modernization of Houseparent Exemption

Congressman Fleischmann's draft of a proposed bill related to modernization of the houseparent exemption still has not been filed. Reportedly, plans are still intact for the bill to be dropped.

[Note: Provider interest in this legislation may spiral depending on the Department of Labor's proposed rules related to overtime pay and exempt status]

- **DOL Wage and Hour Division – Proposes increase in salary level for staff in order to be eligible for exempt**

[Notice: Although the press release associated to this topic was subsequent to the end of February, I am including it in this monthly report as an issue of timeliness.]

On March 7, 2019 the Department of Labor announced a proposed rule that would make more than a million more American workers eligible for overtime.

Under currently enforced law, employees with a salary below \$455 per week (\$23,660 annually) must be paid overtime if they work more than 40 hours per week. Workers making at least this salary level may be eligible for overtime based on their job duties. This salary level was set in 2004.

"This proposal would boost the proposed standard salary level to \$679 per week (equivalent to \$35,308 per year). Above this salary level, eligibility for overtime varies based on job duties.

"In developing the proposal, the Department received extensive public input from six in-person listening sessions held around the nation and more than 200,000 comments that were received as part of a 2017 Request for Information (RFI). Commenters who participated in response to the RFI or who participated at a listening session overwhelmingly agreed that the currently enforced salary and compensation levels need to be updated.

"The NPRM includes:

- *The proposal increases the minimum salary required for an employee to qualify for exemption from the currently-enforced level of \$455 to \$679 per week (equivalent to \$35,308 per year).*
- *The proposal increases the total annual compensation requirement for "highly compensated employees" (HCE) from the currently-enforced level of \$100,000 to \$147,414 per year.*
- *A commitment to periodic review to update the salary threshold. An update would continue to require notice-and-comment rulemaking.*
- *Allowing employers to use nondiscretionary bonuses and incentive payments (including commissions) that are paid annually or more frequently to satisfy up to 10 percent of the standard salary level.*
- *No changes overtime protections for:*
 - *Police Officers*
 - *Fire Fighters*
 - *Paramedics*
 - *Nurses*
 - *Laborers including: non-management production-line employees*
 - *Non-management employees in maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, and construction workers*
- *No changes to the job duties test.*
- *No automatic adjustments to the salary threshold.*

The Department will consider all timely comments in developing a final rule.

Disclaimer: This proposed regulation has been submitted to the Office of the Federal Register (OFR) for publication, and is currently pending placement on public inspection

at the OFR and publication in the Federal Register. This version of the proposed regulations may vary slightly from the published document if minor technical or formatting changes are made during the OFR review process. Only the version published in the Federal Register is the official proposed regulation. The public will have 60 days to comment on the proposed regulation; the comment period will begin on the date of publication in the Federal Register.

Additional Information

- [Notice of Proposed Rulemaking: Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees \(PDF\)](#)
 - [Exhibit A: Methodology for Estimating Exemption Status and Exhibit B: Additional Tables](#)
 - [Press Release \[03/07/19\]: U.S. Department of Labor Releases Overtime Update Proposal](#)
 - [Fact Sheet: Notice of Proposed Rulemaking to Update the Regulations Defining and Delimiting the Exemptions for Executive, Administrative, and Professional Employees](#)
 - [Frequently Asked Questions About the Proposed Rule](#)
 - [Overtime Pay Website](#)
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- **Informational Item – Composition of House Committee on Ways and Means
116th United States Congress**

Leadership: Chair – Richard Neal (D)

Ranking Member – Kevin Brady (R)

Seats – 42 Members

Majority - Democratic (25 members)

Minority – Republican (17 members)

The **Committee on Ways and Means** is the chief tax-writing committee of the **United States House of Representatives**. Members of the Ways and Means Committee are not allowed to serve on any other House Committee unless they are granted a waiver from their party's congressional leadership. The Committee has jurisdiction over all **taxation**, **tariffs**, and other revenue-raising measures, as well as a number of other programs including **Social Security**, **unemployment benefits**, **Medicare**, the enforcement of **child support laws**, **Temporary Assistance for Needy Families** and **foster care and adoption programs**.

216th Congress[edit]

Majority	Minority
Democratic	Republican
<ul style="list-style-type: none"> • Richard Neal, Massachusetts's 1st, <i>Chairman</i> • John Lewis, Georgia's 5th • Lloyd Doggett, Texas's 35th • Mike Thomspon, California's 5th • John B. Larson, Connecticut's 1st • Earl Blumenauer, Oregon's 3rd • Ron Kind, Wisconsin's 3rd • Bill Pascrell, New Jersey's 9th • Danny K. Davis, Illinois's 7th • Linda Sánchez, California's 38th • Brian Higgins, New York's 26th • Terri Sewell, Alabama's 7th, <i>Vice Chair</i> • Suzan DelBene, Washington's 1st • Judy Chu, California's 27th • Gwen Moore, Wisconsin's 4th • Dan Kildee, Michigan's 5th • Brendan Boyle, Pennsylvania's 2nd • Don Beyer, Virginia's 8th • Dwight Evans, Pennsylvania's 3rd • Brad Schneider, Illinois's 10th • Tom Suozzi, New York's 3rd • Jimmy Panetta, California's 20th • Stephanie Murphy, Florida's 7th • Jimmy Gomez, California's 34th • Steven Horsford, Nevada's 4th 	<ul style="list-style-type: none"> • Kevin Brady, Texas's 8th, <i>Ranking Member</i> • Devin Nunes, California's 22nd • Vern Buchanan, Florida's 16th • Adrian Smith, Nebraska's 3rd • Kenny Marchant, Texas's 24th • Tom Reed, New York's 23rd • Mike Kelly, Pennsylvania's 16th • George Holding, North Carolina's 2nd • Jason T. Smith, Missouri's 8th • Tom Rice, South Carolina's 7th • David Schweikert, Arizona's 6th • Jackie Walorski, Indiana's 2nd • Darin LaHood, Illinois's 18th • Brad Wenstrup, Ohio's 2nd • Jodey Arrington, Texas's 19th • Drew Ferguson, Georgia's 3rd • Ron Estes, Kansas's 4th

- 2019 CORE National Conference – Save the Date

The 2019 CORE National Conference is scheduled for October 15 – 17 in Little Rock, AR. Co-Sponsors for the conference include Arkansas Baptist Children's Homes and Family Ministries and Children's Homes, Inc. Both sponsor agencies are located in Arkansas.

SAVE The DATE – October 15-17, 2019 2019 CORE National Conference

- **Request for Proposals**

This year's conference theme is entitled "**Moving Forward - Forever a Resource for Children and Families**". What better time to consider ways to strengthen our programs and further develop and embrace best practice? Isn't it true that despite our histories, we've only just begun and the best is yet to be?

No doubt, both challenges and opportunities present themselves as we move forward in continuing to serve children and families from hard places. This year's conference will include ways to increase our skillset and professionalism as we continue to carve out our niche in the continuum of care and further define our programs.

We welcome your submission of a proposal for presenting a workshop geared on improving programs and raising the bar on professionalism as we move forward. Each conference workshop is scheduled for an hour and a half. Please provide a title and synopsis of the workshop in 500 words or less.

All workshop proposals must be submitted for consideration by April 30th, 2019. Please submit to Don@CORE-DC.org.

- **Welcome New Member**

Arkansas Baptist Children's Homes and Family Ministries is the newest member of the Coalition of Residential Excellence. Having previously been a member of CORE, they opted to renew their membership because of the value they saw in CORE.

The new President of Arkansas Baptist Children's Home is Derek Brown. He replaces David Perry whose retirement following forty-years of service becomes effective in the next several weeks. Best practice is always a work in progress and Arkansas Baptist Children's Homes is in the midst of transition. They've just rolled out a new handbook including identification of core competencies and they are weaving trauma informed care in all facets of their operation.

In terms of the population served, Arkansas Baptist Children's Homes and Family Ministries are outfitting their cottages to serve sibling groups. In the process, they will be adding girls to the population of children at the Boys Ranch in Harrison.

The ranch is one of two residential group care programs operated by the agency. The other campus is located in Monticello, AR. Both programs utilize the presence of cottage parents.

In addition to the residential program, the agency also provides foster care and counseling services.

The agency primarily serves children placed in conservatorship of the state. They have a good rapport with child welfare officials and other child caring agencies across Arkansas.