

little skeptical, as a Senator from Minnesota, where we put a real value on economic justice and work and families, when the very people who do not give the employees the flexibility they could right now, come in and testify to the need for this bill. I remember we had testimony from a representative of the National Federation of Independent Businesses saying, "Look, we need to do this because we can't afford to pay overtime." All of a sudden I am saying to myself, "My gosh, this is not family friendly. This is going to lead to the functional equivalent of pay cuts. This is not about giving people the choice and flexibility they need."

Mr. President, we had an amendment in subcommittee. It was turned down. It's part of the alternative. It works like this: If you bank comptime and, for example, you have 20 hours that you have earned, it's your time. Now, if you have to go to your child's school, if you need to go visit with the principal or a teacher, or you need to take care of a family member, you can use your accumulated comptime to get that time off. We could do that. Then we would have real employee flexibility.

Mr. President, I ask unanimous consent that I be able to yield for the Chair to make an appointment and that I not lose my right to the floor and that my resumption on the floor not be counted as a second speech.

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

APPOINTMENT OF CONFEREES— SENATE CONCURRENT RESOLUTION 84

The PRESIDING OFFICER. Under a previous order, the Chair appoints the following Senators to serve as conferees to Senate Concurrent Resolution 84.

The Presiding Officer (Mr. ROBERTS) appointed Mr. DOMENICI, Mr. GRASSLEY, and Mr. LAUTENBERG conferees on the part of the Senate.

FAMILY FRIENDLY WORKPLACE ACT

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. WELLSTONE. Mr. President, I see that I have another 15 minutes to speak about this legislation before being able to focus my attention on my major priority here today, which is the need to get disaster relief to the people in Minnesota and the Dakotas and other States, who deserve our help.

Mr. President, let me read a letter that I think is extremely important as we go through and debate this piece of legislation.

DEAR SENATOR LOTT AND SENATOR DASCHLE: The undersigned national organizations represent many of the working women of today. We believe passage of S. 4, the Family Friendly Workplace Act, fails to

offer real flexibility to the working women it purports to help while offering a substantial windfall to employers. We urge you to delay consideration until a real solution can be found which truly meets the needs of working women and families. Nearly half of the work force is women and the number of women working multiple jobs has increased more than four fold in the last 20 years. S. 4 would affect hourly workers, and most hourly workers are women. The majority of minimum wage workers are women. Many of these women depend on overtime pay. Many of them want more control of their schedules, not less. Without strong protections for workers, the comptime bill will cut women's options and women's pay. For example—

And I will just read slowly.

Someone pressured into taking comp time when she really wants or needs overtime pay is taking an involuntary pay cut;

Let me repeat that. That's an argument I have been making. These organizations which I will list in a moment are right on the mark:

Someone pressured to taking comp time when she really wants or needs overtime pay is taking an involuntary pay cut[.]

So, again I would say, when it comes to the enforcement machinery, you have to deal with this whole issue.

Mr. ASHCROFT. Will the Senator yield?

Mr. WELLSTONE. I will be pleased to yield in just one moment. I will finish reading the letter and I will be pleased to yield:

... supporters argue that S. 4 is voluntary and employees have a "choice," yet working women who have for decades faced subtle (and not-so-subtle) forms of discrimination are all too familiar with the potential consequences of not going along with the employers' wishes: isolation, intimidation and retaliation; and

... because employees do not control when or if they can use their comp time, they are essentially being asked to gamble on the chance that they will be able to take time when it is as valuable to them as overtime pay.

This is pretty important because my understanding, with Federal employees get to make that choice. That is a big difference here:

... because employees do not control when or if they can use their comptime they are essentially being asked to gamble on the chance that they will be able to take time when it is as valuable to them as overtime pay.

This is my point again. We had an amendment which would improve this bill. We could pass this bill which says: Look, you bank that time. It's your time. It's your earned compensation. If you have compelling reasons that you need that time off, sickness of child, sickness of parent—you know, what's in the Family and Medical Leave Act—you should be able to take the time off. You should not have to ask the employer. It's your time:

S. 4 must be defeated. Women want flexibility in the workplace, but not at the risk of jeopardizing their overtime pay or the well-established 40 hour work week.

Sincerely, 9 to 5, National Association of Working Women, American Nurses Association, Business and Professional Women, National Council of Jewish Women, National

Women's Law Center, Women's Legal Defense Fund.

Leadership Conference on Civil Rights.

I might also add there is a coalition of 180 national civil rights, religious and working women's organizations which oppose this legislation: League of Women Voters, National Women's Political Caucus, National Women's Law Center, American Association of University Women, National Organization for Women, Women's Legal Defense Fund, National Counsel of Senior Citizens, NAACP, National Urban League, National Council of La Raza, Disability Rights Education and Defense Fund, Union of American Hebrew Congregations, Southern Christian Leadership Conference, National Council of Churches.

Mr. President, in addition, and then I will yield for a question, a couple of other organizations: Mechanical Contractors Association of America, Incorporated, National Electrical Contractors Association, Sheet Metal and Air Conditioning Contractors' National Association, AFL-CIO, American Nurses Association, National Education Association, American Federation of Teachers, Union of Needle Industry and Textile Employees, Service Employees International Union, Communications Workers of America, United Steelworkers of America, Communications Workers of America, United Auto Workers, the International Association of Machinists, Laborers' International Union of North America, United Brotherhood of Carpenters, International Brotherhood of Teamsters, International Association of Bridge, Structural and Ornamental Iron Workers, American Federation of State, County and Municipal Employees.

Mr. President, you know, it has become fashionable to do all this bashing of unions, but I have to say this. As a matter of fact, above and beyond all these women's organizations, unions really in the last half of the century-plus have been the only institutions which have consistently represented the bottom half of the population, those people who do not own all the capital and do not own the big corporations and depend on the wages and depend on being able to get overtime when they work overtime, and depend upon being able to bring in the resources to support families. It would seem to me, if this was such a great deal for working families and for working women, the very organizations which represent women and so many working people in this country would be all for it. Yet, you have major opposition.

So, I will be pleased to yield for a question, if the Senator has a question. But otherwise I will continue to make the case that this legislation, in its present form, is going nowhere. I am sorry for that, because my colleague has worked hard on it. But this legislation, it really violates some very cherished principles that have to do with