

Advocacy Visits Iowa and New Mexico To Hear Small Business Views on Proposed Procurement Rules

by Brooke Nelson, Editor

On May 28, the Federal Acquisition Regulatory Council (FAR Council) and the Department of Labor (DOL) issued a proposed rule and guidance to implement the Fair Pay and Safe Workplaces Executive Order issued by President Obama on July 31, 2014.

The proposed rule and guidance state that prospective bidders on prime and subcontracts worth more than \$500,000 must report any of the following labor violations that have occurred in the past three years: administrative merits determinations, civil judgments, and arbitral awards or decisions rendered against them. In addition, the proposed rule and guidance require that contractors and subcontractors provide employees with paystubs and independent

contractors with documentation stating their working relationship every pay period. New labor advisor positions will also be created to help contractors and subcontractors comply with labor laws.

In response to the proposed rule and guidance, the Office of Advocacy held three roundtables around the country to gather feedback from small businesses that may be affected. Roundtables were held in Iowa on July 2, in Washington, D.C., on July 22, and in New Mexico on July 29. The small business input Advocacy received during these discussions will be used to inform Advocacy's comments to DOL and the FAR Council. The original comment deadline was extended to August 26.

Attending the Washington, D.C. roundtable were Matthew Blum, Associate Administrator, Office of Management and Budget, Federal Procurement Policy; Lafe Solomon, Senior Labor Compliance Advisor, Office of the Solicitor, Department of Labor; and Debbie R. Norris, Senior Vice President Merrick & Company, Greenwood Village, CO. For more information, contact Assistant Chief Counsel Major Clark at Major.Clark@sba.gov.



James Neumann, vice president of ValuMarket, gives Advocacy staff a tour of Fresh Choice Market in Louisville, Ky. The visit was in connection with Advocacy's small business outreach concerning proposed changes to overtime rules. Story on page 2.

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Regulatory News

Advocacy Hosts Roundtables in Louisville, New Orleans, and Washington on Proposed Changes to Overtime Rules

by Erik Gulbrandsen, Communications and Congressional Liaison

On June 30, the Department of Labor (DOL) released a proposed rule revising overtime regulations under the Fair Labor Standards Act. The proposal modifies the “white collar exemption” for overtime pay for executive, administrative, and professional employees. The rule raises the salary threshold of employees who are eligible to receive overtime pay from \$23,660 to \$50,440. The rule does not propose regulatory changes to the duties test (requiring employees to perform certain primary duties to qualify for the exemption). However DOL is seeking comments on whether the test should be revised. The deadline for comments is September 4, 2015. To comment, visit www.regulations.gov.

DOL has estimated that the rule will directly affect about 4.6 million U.S. workers and cost around \$598 million. This calculation includes \$100 to \$600 in direct costs and \$320 to \$2,700 in addition costs per eligible small busi-

ness. DOL estimates the proposal’s time burden on small business owners as follows: one hour for regulatory familiarization, one hour per affected worker for adjustment, and five minutes per week scheduling and monitoring each worker.

Due to the potential small business impact, Assistant Chief Counsel Janis Reyes worked with Advocacy’s regional advocates and economic staff to visit affected small businesses and convene

small business roundtables to hear concerns directly. Each roundtable sought feedback on the number and types of small businesses affected, the cost of compliance, and any significant alternatives to the proposed rule. The first roundtable took place in Louisville, Ky., the second in Washington, D.C., and the third in New Orleans, La. All three were widely attended and produced constructive feedback.



Almost 50 people attended Advocacy’s overtime roundtable in Louisville, Ky.

Advocacy News

Advocacy Welcomes Daniel Kane, Law Clerk

Daniel Kane has joined the Office of Advocacy’s interagency staff as a law clerk. Kane will be assisting on the more complex issues that require in-depth research.

Kane received his law degree from Catholic University in May, where he was selected by his law school classmates as a commencement speaker. He received his bachelor’s degree in biomedical engineering from George Washington University, where he was also captain of the cross country team.

Kane returns to Advocacy after a stint in 2013, when he interned

and served as a regulatory fellow. He assisted with the Fish and Wildlife Service rule on critical habitat of the Gunnison sage grouse and wrote a paper on the Food and Drug Administration’s medical device approval process.

His recent experience includes providing legal services at Columbus Community Legal Services Clinic, clerking at the International Trade Commission, and interning for Judge Thomas B. Pender.

You can reach him at Daniel.Kane@sba.gov.



Announcing Advocacy's Third Innovation Symposium

by Emily Williams, Confidential Assistant

Southern California thrives on its innovation economy. However, innovative businesses face different challenges in starting, maintaining, and growing their enterprises. This is in part because they often pioneer technologies, business models, and practices that are not yet addressed by the federal government's existing regulations and processes.

To consider these and other issues facing the region's innovation sector,

the Office of Advocacy is hosting a symposium in La Jolla, California, on September 16. The University of California-San Diego's von Liebig Entrepreneurism Center and the San Diego State University Research Foundation are Advocacy's partners in the event. Participants have been invited from the private sector, public research and educational institutions, and the federal government to discuss the foundations of this region's innovation economy

and the public policies needed to ensure its continued success. More specifically, the day-long conference will talk about strategies for funding research and development, access to the global marketplace, and fulfilling the future potential of the region's diverse pool of entrepreneurial talent.

California State Treasurer John Chiang is the featured keynote speaker. Chiang will focus on how California has pivoted from economic recession to economic boom in just a few short years, and discuss the role of green technology, startups, and innovators in this transformation. His remarks will highlight how California was able to foster an innovative climate during challenging times.

We hope you can join us on September 16 at the University of California-San Diego for a dialog that will surely help keep the San Diego regional economy strong. Registration information will be posted on Advocacy's website in the coming weeks. Please save the date and watch for updates on the office blog and social media.



The San Diego skyline by night.

Image: Thinkstock

New Blog Launched in July

The Office of Advocacy has launched a newly redesigned blog. Be sure to update your browser bookmarks with the new address: <https://advocacysba.sites.usa.gov>.

The new blog delivers news and information in a more effective and user-friendly manner. It features a variety of articles on small business topics, plus regulatory updates, economic reports, and regional news. It's an outreach tool as well, offering readers the ability to post comments and provide input on articles.

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Advocacy's regional advocates meet with Acting Chief Counsel Claudia Rodgers, left, and Director of Regional Affairs Michael Landwehr, right.

VISIT AND CHECK OUT ADVOCACY'S NEW BLOG!
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Advocacy's Buffalo Visit Focuses on Innovation and STEM Entrepreneurship

by Rebecca Krafft, Senior Editor

On August 6, Advocacy staff visited Buffalo, N.Y., to participate in events related to innovation and STEM entrepreneurship among minorities and women.

Regional Advocate Teresa Coaxum and Economist Victoria Williams participated in several site visits and events. These included a City Hall youth event with Buffalo Mayor Byron Brown and the astronaut, Sunita L. "Suni" Williams, plus visits to the University of Buffalo's Technology Incubator at Baird Research Park, the Center of Excellence in Bioinformatics and Life Sciences, and SUNY-Buffalo's Structural Engineering and Earthquake Simulation Laboratory.

STEM Employment in the Buffalo Area

At the City Hall event, Advocacy shared statistics about the Buffalo area's current STEM workforce. In 2014, 59,740 workers in Erie and Niagara Counties were employed in STEM occupations. The top five STEM occupations in the Buffalo-Niagara area are shown below.

Top STEM Occupations	Number of Jobs	Percent of All STEM Jobs	Mean Annual Salary
Registered Nurses	11,370	19	\$68,520
Licensed Practical & Licensed Vocational Nurses	4,110	7	\$39,850
Computer User Support Specialists	2,880	5	\$42,750
Computer System Analysts	1,890	3	\$75,530
Computer Programmers	1,730	3	\$67,670

In Erie County in 2014:

- 51 percent of jobs across all industries were occupied by women;
- 34 percent of jobs in STEM intensive industries were occupied by women; and
- The average STEM salary for women in 2013 was \$44,662, and for men, \$61,971.

Statistics Source: University of Buffalo, School of Architecture and Planning/UB Regional Institute.

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The Small Business Advocate

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The Office of Advocacy is the independent voice for small business in the federal government. The office is the watchdog of the Regulatory Flexibility Act (RFA) and the source of small business statistics. Advocacy advances the views and concerns of small business before Congress, the White House, the federal agencies, the federal courts, and state policymakers.

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