



**WILLIAM L. BIGGS**

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October 21, 2016

TO: Congregations of the Nebraska Synod ELCA  
And Agencies and Institutions, as well as  
Individuals who May Have Interest in the  
Fair Labor Standards Act (FLSA)

Re: FLSA (Fair Labor Standards Act)

Dear Friends:

The most recent amendments to the FLSA will take effect on December 1, 2016, and will affect not only the Synod, but many of our congregations of the Nebraska Synod of the ELCA, and also agencies and institutions who have employees and who operate within the Synod.

In order to respond to questions you might have and give you the best considered answer possible, we have put together a working group to handle your inquiries. The group took part in a webinar put together by the General Counsel's office of the ELCA, structured by Tom Cunniff, the Associate General Counsel, and one of the members of the ELCAAA Association of Attorneys, who is a well-known labor lawyer in the State of Wisconsin.

We are going to make available to every pastor and every PMA within the Synod a copy of the webinar for you to review within your congregation and share it with your council or with the congregation, depending on what you feel the need is in your church. After you do that, if you have questions concerning how this will affect your congregation, we are going to make the working group available to you.

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If you have a question, we would ask that you send it to us in writing, either by mail to the Synod office or by e-mail at [flsa@nebraskasynod.org](mailto:flsa@nebraskasynod.org). We will meet as a working group every Friday morning at 8:30 and consider all of the requests for opinions that we have received during the week. Once we have an agreed-upon answer, either myself or one of the members of the working group will communicate that to you.

Having five of us look at it and give you our collective judgment, we believe, will mean that our response will hopefully give you something that you can use within your congregation. We want it to be right, and we have a better chance of getting it correct if we do it in this fashion. We do want you to have the information first and be knowledgeable before we take your questions and provide you with our response.

We have also set up a web page at <http://nebraskasynod.org/flsa> where you will be able to find resources about this issue.

The members of the working group are Dan Friedlund, treasurer of the Nebraska Synod, who has a background as a CPA and is very, very knowledgeable concerning this area of law; Mitch McCartney, who is director of communications for the Nebraska Synod; Pat Gregory, the director of administration for a large congregation here in Omaha; and Stephanie Lusinski, who is involved in the financial aspects of the Synod administration. I am the final member of the committee. I have a law degree and I am general counsel for the Nebraska Synod.

If any of you have any questions at this point, please drop any one of us a note and we will get those questions on a list for consideration at our first meeting, which will take place a week from today.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Bill", written in a cursive style.

William L. Biggs

WLB/cms