July 15, 2026

U.S. House of Representatives
Washington, DC 20515

Re: Support the Valuing Employee Stock Today Act (H.R.8660)

Dear Representatives:

On behalf of the undersigned organizations, we write to express our strong support for the ***Valuing Employee Stock Today Act*, H.R.8660**, introduced by Rep. Mackenzie and referred to the Committee on Education and Workforce. We are seeking bipartisan support and respectfully ask you to **co-sponsor** this commonsense legislation to protect worker access to employer equity and provide much-needed clarity under the Fair Labor Standards Act (FLSA).

Why this bill is needed

Employers across the country use equity compensation to help employees share in the long-term success of the businesses they help build. Since the Worker Economic Opportunity Act of 2000 (Public Law 106-202), Congress has recognized that the value or income derived from certain employer-provided equity awards—such as stock options, stock appreciation rights, and bona fide employee stock purchase programs—should be excluded from the "regular rate" when calculating overtime under FLSA section 7(e).

However, as H.R.8660's findings correctly explain, restricted stock units (RSUs) were not widely used at the time the 2000 Act was enacted. Their absence from the statutory text was not an intentional exclusion; rather, it reflected the equity landscape of that period. In the decades since, RSUs have become a highly common form of equity compensation used by many employers for both salaried and hourly employees.

Without explicit statutory clarity, employers face uncertainty about whether RSUs could be treated differently from other broadly similar equity programs for overtime "regular rate" purposes—creating administrative complexity and exposing employers to unnecessary litigation risk. That uncertainty can have a chilling effect on whether employers offer equity opportunities broadly, particularly to rank-and-file workers.

What the Valuing Employee Stock Today Act does

The bill makes a targeted, practical clarification to **29 U.S.C. 207(e)(8)** by:

1. Explicitly adding **"restricted stock unit program"** to the equity-related exemption from regular-rate determinations; and

2. Updating conforming language to ensure the exemption functions as intended (including recognizing "exercise or acceptance").

This legislation would help:

- **Preserve and expand worker access to equity**, enabling employees to participate in the growth they help create;
- **Maintain consistency** with Congress's stated intent in 2000 that the exemption be "broad," "flexible," and "forward-looking"; and
- **Reduce uncertainty and litigation risk** that can discourage employers from offering equity broadly, especially to hourly and non-executive workers.

For these reasons, we strongly support the *Valuing Employee Stock Today Act* and respectfully urge you to co-sponsor the bill.

Thank you for your consideration and for your continued leadership on issues that strengthen the workforce and expand opportunities for working Americans.

Sincerely,

CHRO Association
eb3.work
Manufacturers' Agents Association for the Foodservice Industry (MAFSI)
National Association of Manufacturers
Petroleum Equipment Institute (PEI)
PRINTING United Alliance
Small Business & Entrepreneurship Council
Smirk Health
U.S. Chamber of Commerce

cc: The Honorable Rep. Mackenzie