

Update: Dept. of Labor Overtime Regulations

The U.S. Department of Labor (DOL) continues to be tight-lipped about the status of the proposed regulations released last summer that would require employers to pay overtime wages to employees making \$50,440 or less per year. Reports continue to indicate that DOL is diligently processing over 250,000 comments received and plan to release final regulations this summer with an effective date prior to the end of the calendar year. While there is some speculation that the \$50,440 figure could be lowered, of equal concern is the potential change that DOL could make to the standard “duties” test that currently permits many employers to exempt certain executive, professional, and administrative employees from minimum wage and overtime rules. The DOL proposal remains the object of increasing lobbying by employers and representative organizations, as well as among Washington lawmakers. A broad coalition of associations and business groups has formed the “Partnership to Protect Workplace Opportunity,” which is pushing Congress to block DOL efforts, and Republican lawmakers have also urged DOL Secretary Perez to reconsider the proposal. At the same time, a group of Democratic senators have pushed DOL to finalize the rules as soon as possible. Speculation remains that the Republican-controlled Congress will attempt to use the appropriations process to prohibit final implementation of the rules as proposed. For more information, contact Liz Leibowitz ([hyperlink to my email](#)).