

CLIENT ALERT: Federal Judge Strikes Down DOL Proposed Overtime Changes - By Tracy T. Boland

As many of you are aware, the Department of Labor ("DOL") issued a rule last year that proposed sweeping changes that would greatly increase the number of workers eligible for overtime. The rule was set to go into effect as of December 1 of last year. However, a federal lawsuit and injunction put that on hold and we have been waiting for an update since then.

Yesterday, the judge in that federal lawsuit struck down the DOL's proposed rule. The judge found that the DOL overstepped its authority in making the changes. Employee advocate groups already are calling for the DOL to appeal this ruling. We suspect that is unlikely given the current administration, but we will keep you apprised of any developments.

Many of our clients undertook extensive efforts to ensure compliance with this rule last year. Suffice to say, we share in your frustration over how this has unfolded. However, there is no doubt that the work done was still useful in that it offered those clients the opportunity to assess the duties of the positions in question and ensure proper classification of employees even under the original legal standard.

If any questions remain, please contact your MBJ lawyer.

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