

HENDERSON CHAMBER OF COMMERCE

GOVERNMENT AFFAIRS NEWS

Sept. 7, 2017

DOL moves forward, appeals “overtime rule” injunction; HCC encourages members to provide feedback by Sept. 25

As some of our Henderson Chamber of Commerce (HCC) members may know, last week the U.S. District Court for the Eastern District of Texas granted the motion brought by the U.S. Chamber and other business groups, to convert the preliminary injunction against the DOL’s 2016 Overtime Rule to a permanent injunction. This is a final judgment and a win for the business community, as it permanently removes the Obama Administration’s Overtime Rule and sets the stage for the Department of Labor (DOL) to develop a new rule with a more appropriate update to the salary threshold for exempt employees.

We thank many of you who weighed in during the comment period to your Nevada federal delegates last year when your Henderson Chamber of Commerce (HCC) distributed information to you about the proposed regulation in June 2016. It was during that same time that your HCC advocated to your congressional representatives to oppose the ruling and instead support a process in which a detailed economic analysis could be conducted to better determine salary levels, impact on an array of employers with a primary emphasis on requesting the DOL to consider more gradual, and transitional approaches to assist businesses versus its proposed rule.

WHAT’S NEXT: The U.S. Department of Labor (DOL) has now begun the process of formally considering a new rule, via a Request for Information (RFI) to the White House’s Office of Management and Budget, to its previously filed 2016 “overtime ruling.” The DOL, through its RFI, seeks public comment on a number of issues relating to the “white collar” overtime exemptions, including how to determine what the minimum salary level should be. Responses are to be used in assisting the drafting of proposed revisions to the “overtime ruling.” [Part 541]