Countdown to the Final Overtime Rule: The Clock Is Ticking on Your Current Exemptions

May 2, 2016

On March 15, 2016, the U.S. Department of Labor’s (DOL) Wage and Hour Division delivered its proposed final revisions to the Fair Labor Standards Act’s Part 541 overtime regulations to the Office of Information and Regulatory Affairs (OIRA) of the Office of Management and Budget (OMB). Until then, the assumption was that the final revisions to the overtime regulations would be published in July of 2016—namely because, in November of 2015, the DOL issued its Fall 2015 Semiannual Regulatory Agenda, which included a statement indicating that the DOL expected to publish the final rule in July.

OMB review usually extends for approximately 30 to 60 days. Thus, the delivery of the proposed final revisions to OIRA means that publication of the final rule may occur quite a bit sooner than July. Realistically, the final rule could be published anytime this month. As part of the OMB’s review of the overtime regulations, it conducted a series of meetings with the business community and employee advocates during April.

In anticipation of the final rule, Ogletree Deakins’ Wage and Hour Practice Group has launched the Overtime Solutions Center, an up-to-the-minute educational resource containing breaking news and information as they occur. In addition to our Overtime Solutions Center, the firm’s Wage and Hour blog is frequently updated with significant new developments in the law. Stay tuned.

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