New DOL Wage Rules Likely to Face Legal Challenges, Houston Attorney Says

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The U.S. Department of Labor (DOL) has this year issued a flurry of proposed rules and opinion letters in an apparent attempt to clarify and modernize the Fair Labor Standards Act, culminating in the late-September release of its long-awaited rule on the salary threshold for white-collar exemptions and permissible exclusions. It is nevertheless likely that some of the DOL’s rules will face legal challenges similar to those seen in 2016, when a Texas federal court blocked enforcement of its final rule pertaining to the FLSA white-collar exemption regulations. In an article for Law360, Houston attorney Hollie Reiminger breaks down the limits on DOL rulemaking authority and spotlights areas of the DOL’s rules that may not survive in court.

To read the article, visit Law360 [subscription required].