

Insights, News & Events

## EMPLOYERS HOPE FOR INJUNCTION BLOCKING DEC. 1 START OF NEW LABOR DEPARTMENT OT RULE

News  
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The article, "Employers Hope for Injunction Blocking Dec. 1 Start of New Labor Department OT Rule," featured in the *Dallas Business Journal*, addressed why employers should proceed as if sweeping changes to the U.S. Department of Labor's overtime exemption regulations will take effect Dec. 1, despite a lawsuit filed Tuesday seeking to derail the new rule

"Generally speaking, what's going on is a challenge to whether the Department of Labor by rule-making can make sweeping and substantive changes that affect virtually everyone in the country — employers and employees. There's very few not touched by this," Mike Abcarian told the *Dallas Business Journal*.

Mike expects a hearing for an injunction blocking the Dec. 1 start of the new rule to be scheduled soon.

Agencies are increasingly exercising rule-making authority and make regulations that aren't specifically written into the law, he said.

He declined to comment on the lawsuit's chances for success without studying it further. Mike said recent lawsuits that have challenged significant agency decisions have had mixed results.

"Some of these challenges have been in the past and can be successful," he said. "Courts may not agree with what the agency believes is in its authority to issue rules and regulations. But it takes very careful analysis by the court."

### Related People



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### Service Focus

Wage and Hour

For now, businesses should proceed as if the Dec. 1 rules will become reality, Mike said.

To read the full article, please visit the [\*Dallas Business Journal\*](#) [subscription required].