



## **LATEST UPDATE: When Will The Exemption Changes Occur?**

Insights

11.20.15

The U.S. Labor Department's most-recent semi-annual regulatory agenda shows a July 2016 "Final Rule" timeframe for the revised regulations defining the federal Fair Labor Standards Act's Section 13(a)(1) exemptions.

This is more in line with what the thinking had been prior to the flap that arose following U.S. Solicitor of Labor M. Patricia Smith's remarks at the recent meeting of the American Bar Association's Labor & Employment Law Section. Readers will recall the resulting publicity to the effect that the revisions would not be forthcoming until "late 2016", and possibly not even until after the elections.

Of course, it is not uncommon for USDOL to fail to meet the target dates given in these agendas. So exactly when the new regulations will be released remains uncertain.

If the "Final Rule" were to be published on July 1, 2016, and if its effective date was set for 60 days later, then employers would have until August 30, 2016 to take whatever steps are necessary to maintain compliance with the FLSA.

We continue to recommend that management move forward with its analysis and planning so as to be prepared well in advance of whatever is the eventual effective date.