



Lower-Court FLSA Salary Litigation Will Proceed

Insights

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By: The Editor

Federal District Judge Amos L. Mazzant has denied the U.S. Department of Labor's request to halt proceedings in his court while it appeals the preliminary injunction he granted preventing salary-related changes in the federal Fair Labor Standards Act's "white collar" exemption requirements from taking effect. In the court's view, USDOL failed to demonstrate that such an extraordinary measure was warranted.

For now, this means that the situation is the same as it has been:

- ◇ The preliminary injunction is still in effect; and
- ◇ Expedited proceedings are moving forward in the 5th Circuit U.S. Court of Appeals.

However, Judge Mazzant noted that he has not yet taken action on a pending motion by the business organizations and employer-advocacy groups who are challenging the changes that he issue a final ruling in their favor. Perhaps the denial of USDOL's stay request signals that he will soon decide that motion.