



Salary-Threshold Proposal Apparently Months Away

Insights

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A recent U.S. Department of Labor regulatory status report indicates that no proposal to change the 2016 compensation revisions affecting the federal Fair Labor Standards Act's so-called "white collar" exemptions will be forthcoming for at least ten months.

The latest timetable shows an October 2018 projection for a Notice of Proposed Rulemaking. USDOL's past practice suggests that even *this* estimated timeframe might well not come to pass.

Our September response to USDOL's Request for Information opined that it would be inexcusable to permit the dislocation, confusion, distortion, and disruption provoked by the 2016 changes and related litigation to drag-on for yet many *more* months than they already have. We urged USDOL to expedite its review of the public's comments and then quickly to formulate and publish a remedial Interim Final Rule that has immediate effect but is also subject to a shortened notice-and-comment period.

It is, to say the least, disappointing and disheartening to learn that USDOL is not prepared to bring this intolerable state of affairs to a prompt end.