



CAMPUS COUNSEL

A legal blog written for administrators, HR professionals, in-house counsel, and deans at colleges and universities

Revised FLSA White-Collar Exemption Rules Will Not Be Released Before July 2016

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In June, the U.S. Department of Labor issued proposed changes to the requirements for “white-collar” exemptions to the overtime and minimum wage requirements of the Fair Labor Standards Act (FLSA). The DOL’s proposed changes would, among other things, increase the minimum weekly salary requirement for exemption status from \$455 per week to \$940 per week. Initially, DOL intended to release the final version of the revised rules in early 2016. However, it appears that the enormous volume of comments DOL received in response to the proposed changes (260,000+) has forced a delay in the planned release date. According to the DOL’s recently released fall 2015 regulatory agenda, the revised exemption rules will not be released before July 2016. This delay provides Institutions with additional time to audit the exemption status of current positions and to evaluate and plan for possible changes to positions, operations and staffing that may be required in response to the new rules. The impact of the new rules on compensation and benefit programs must also be evaluated.

Client Tip: *Institutions must take advantage of this opportunity to plan and prepare for compliance with the new rules as the time between the release date and the effective date of the revised rules is now likely to be very short, possibly less than 60 days. For planning purposes, we recommend that Institutions evaluate the impact of increased minimum salary requirements for exemption status using a range of potential salaries from \$40,000 to \$50,440.*