

## EMPLOYMENT SERVICES ALERT

3/17/16

### Proposed FLSA Overtime Rules Sent to the Office of Management and Budget

By Karen Adinolfi, Partner

On March 14, 2016, the White House's Office of Management and Budget ("OMB") received the proposed and long-anticipated Fair Labor Standards Act overtime regulations from the Department of Labor. This is the final step before the publication of the regulations and announcement of their effective date. The OMB has 90 days to review (and can take an additional 30 days at its option), but can release the regulations at any time within the review period. While there have been varying theories as to when the final regulations would be published, it appears that late spring or early summer is the likely time. Once the final regulations are published, the effective date is typically 60 days later.

The regulations are now looking more and more like an imminent reality, in contrast to some commentators who predicted that they would not be released until after the November elections. As such, it is imperative that employers, to the extent that they have not done so, immediately begin to review their workforces and salaries to determine which of their employees may become automatically non-exempt under the new minimum threshold rule and what, if anything, the employer wishes to do in order to retain some or all of its exemptions.

We can help. For assistance in reviewing the exemptions you currently have and determining what effect the impending regulatory changes may have, along with strategies to allow your business the maximum flexibility, contact us.

**Doug Spiker**  
Practice Group Manager,  
Employment Services  
216.696.7125 | [dspiker@ralaw.com](mailto:dspiker@ralaw.com)

**Karen Adinolfi**  
330.849.6773 | [kadinolfi@ralaw.com](mailto:kadinolfi@ralaw.com)

**Matt Austin**  
614.723.2010 | [maustin@ralaw.com](mailto:maustin@ralaw.com)

**Aretta Bernard**  
330.849.6630 | [abernard@ralaw.com](mailto:abernard@ralaw.com)

**Robert Blackham**  
216.615.4839 | [rblackham@ralaw.com](mailto:rblackham@ralaw.com)

**Eric Bruestle**  
513.361.8292 | [ebruestle@ralaw.com](mailto:ebruestle@ralaw.com)

**Helen Carroll**  
330.849.6710 | [hcarroll@ralaw.com](mailto:hcarroll@ralaw.com)

**Fred Compton**  
330.849.6610 | [fcompton@ralaw.com](mailto:fcompton@ralaw.com)

**Denise Hasbrook**  
419.254.5243 | [dhasbrook@ralaw.com](mailto:dhasbrook@ralaw.com)

**Paul Jackson**  
330.849.6657 | [pjackson@ralaw.com](mailto:pjackson@ralaw.com)

**Doug Kennedy**  
614.723.2004 | [dkennedy@ralaw.com](mailto:dkennedy@ralaw.com)

**Nathan Pangrace**  
216.615.4825 | [npangrace@ralaw.com](mailto:npangrace@ralaw.com)

**Marcus Pringle**  
216.696.7077 | [mpringle@ralaw.com](mailto:mpringle@ralaw.com)

**Arthi Siva**  
614.723.2026 | [asiva@ralaw.com](mailto:asiva@ralaw.com)

**Emily Wilcheck**  
419.254.5260 | [ewilcheck@ralaw.com](mailto:ewilcheck@ralaw.com)

This Alert is informational only and should not be construed as legal advice. ©2016 Roetzel & Andress LPA. All rights reserved.  
For more information, please contact Roetzel's Marketing Department at 330.849.6636.