

DOL Wage and Hour Administrator Relinquishing Final Approval Power

By Stephanie Olivera Mittica

Earlier this month, an internal memorandum revealed that Jessica Looman, the principal deputy administrator of the DOL's Wage and Hour Division (WHD), revoked a set of instructions issued by the Trump Administration which gave then WHD Administrator, Cheryl Stanton the final word on certain enforcement actions.

Administrator Looman is now delegating that control to regional and district office personnel who will have significantly more autonomy when pursuing and investigating employment wage violations. In particular, Looman has given regional administrator's the authority to approve their staff's use of enhanced compliance agreements, visa certifications for undocumented workers who are victims of severe workplace crimes, cooperation agreements with state agencies to share information, sharing letters between WHD and other government agencies investigating the same workplace, and requests to withhold payments to government contractors who owe workers wages as enforcement tools.

This change will likely lead to an increase in the use of aggressive enforcement tactics when WHD is pursuing federal wage violations.

Roetzel will continue to monitor developments in this area. For more information and insight on this matter, please contact one of the listed Roetzel attorneys.

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