

Proposed Overtime Rule Published; Public Comment Period Open Until May 21

Law and the Workplace on **March 22, 2019**

The U.S. Department of Labor's proposed new overtime rule was [published in the Federal Register today](#). As described in [our earlier post](#), the proposed new rule would:

- **Raise the salary minimum for exemption as an executive, administrative, or professional employee to \$679 per week (\$35,308 per year).**
- **Allow employers to satisfy up to 10% of the salary minimum through nondiscretionary bonuses, incentives, and/or commissions that are paid annually or more frequently, or even in a catch-up payment at the end of the year.**
- **Raise the threshold for exemption as a "highly compensated employee" to \$147,414 in total annual compensation.**

Employers and other members of the public can submit written comments on the proposed rule until May 21, 2019. Comments can be submitted electronically (at www.regulations.gov) or by mail to Melissa Smith, Director of the Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210. All comments should identify the proposed rule's Regulatory Information Number (RIN), 1235-AA20.

Following the DOL's review of the public comments submitted, it will prepare a final rule that may or may not contain changes from the proposed rule. The agency anticipates that the new rule will be effective in January 2020.

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