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DOL Makes It Official: 2024 Overtime Rule Is Gone

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Well, that's that.

The U.S. Department of Labor has issued a final rule, scheduled for publication in the Federal Register on May 15, 2026, formally removing the regulatory text from the now-vacated 2024 overtime rule and restoring the Part 541 regulations as they existed before that rule took effect.

As we previously reported, the 2024 rule would have increased the minimum salary for exemption as an executive, administrative, or professional employee from $684 per week to $844 per week effective July 1, 2024, and then to $1,128 per week effective January 1, 2025, with automatic updates every three years thereafter. The rule also would have increased the total annual compensation threshold for the highly compensated employee (HCE) exemption from $107,432 to $132,964 and then to $151,164.

But in November 2024, a federal court in Texas vacated the rule nationwide, concluding that the DOL exceeded its authority by elevating salary level over job duties in defining the EAP exemptions. We later noted that the Fifth Circuit's refusal to rehear *Mayfield v. United States Department of Labor* left in place the separate holding that the DOL has some authority to set a minimum salary level for exemption, but with meaningful limits.

The DOL's new action does not purport to set a new salary threshold. Instead, the agency describes the rule as a technical amendment implementing the federal court judgments and restoring the 2019 rule text, under which the general salary minimimum for exemption as an executive, administrative, or professional (EAP) employee is $684 per week and the HCE threshold is $107,432 annually. The DOL also states that it is bypassing notice-and-comment rulemaking because it is merely conforming the CFR to court orders already in effect.

So what does this mean for employers? For now, the federal salary threshold for most EAP exemptions is back to $684 per week, the same level adopted in the 2019 rule. Employers should bear in mind that a number of states, including New York and California, impose higher salary thresholds for exemption under state law.

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