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New Overtime Regulations Issued by the Department of Labor

On April 20, 2004, the United States Department of Labor (“DOL”) announced the final regulations governing overtime eligibility for "white-collar" workers under the Fair Labor Standards Act ("FLSA"). These long-awaited and heavily-debated final regulations take effect 120 days after publication in the Federal Register. The regulations should be published any day now so that they will become effective in mid-August.

While the FLSA requires most employers to pay their employees overtime pay at time and one-half their regular rate of pay after 40 hours in a workweek, the FLSA currently provides and will continue to provide exemptions from overtime pay for employees employed in bona fide executive, administrative, professional, outside sales and/or computer occupations. However, the tests governing these exemptions have been modified by the new regulations.

All employers should review these new requirements to see if any apply to your situation. The experts at CMK Associates LLC can work with you and your attorney to review your particular situation.