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## EMPLOYMENT ALERT

NOVEMBER 29, 2016

### Federal Judge Enjoins Obama's New "Overtime" Rule

The Obama Administration (through the Department of Labor) promulgated a regulation set to go into effect on December 1, 2016 that would require employers to either pay overtime or raise the salaries of employees who are exempt from overtime to an annual salary of \$47,892.

In response to the proposed regulation, suit was brought in Texas by a coalition of business groups and state attorneys general to enjoin the regulation. U.S. District Court Judge Amos L. Marzant, an Obama appointee, issued a nationwide *temporary injunction order enjoining the implementation of the new overtime rule*.

While the injunction is only temporary, it puts a "hold" on the enforcement of the proposed overtime rule for now. In his written decision, Judge Marzant stated that the proposed rule *exceeded* the Department of Labor's delegated authority. For now, small businesses can relax and hope that the District Court's decision will remain intact. A challenge by the Department of Labor to the 5th Circuit Court of Appeals is still possible.

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