



Construction Industry Round Table

Regulatory News

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09/7/2017 – DOL Seeking Comments to Revise Obama-Salary Rulemaking

Earlier this year, Labor Secretary Alexander Acosta said the salary threshold proposed by the department under the Obama administration was excessive and too burdensome on many employers. The Obama-era rule would have doubled (to \$47,476) the salary threshold under which virtually all workers are guaranteed overtime pay if they work more than 40 hours per week. Acosta has suggested, however, that the current minimum salary level of \$23,660 should be updated and the DOL's [request for comments](#) is a first step in the agency's plan to revise the regulations. The overtime rule was last adjusted in 2004.

CIRT's comments focus on how potential changes to overtime eligibility would impact young professionals in the design/construction industry. In particular, CIRT emphasized that it's not against increasing the overtime salary threshold, but that creating a "one-size-fits-all" salary level for overtime eligibility across the country – inconsiderate of cost of living differences – would not be workable for many employers. Something the federal government's own Office of Personnel Management takes into consideration when adjusting same grade salaries levels based on certain locations where costs are vastly different. [See, [CIRT's Comments for details, story \(5/19/2016\)](#)].

The Trump Administration's DOL has asked for input on whether the current threshold of \$23,660 should be updated for inflation, and whether there should be multiple standard salary thresholds based on employer size, region of the country and other factors. The agency also asked employers to explain how they prepared for the rule to take effect and whether there are unique challenges for small businesses that should be taken into account. [Comments can be filed electronically through [Regulations.gov](#)]