

Postponement of FLSA Overtime Rule Change

On November 22, 2016, a U.S. District Court judge issued a preliminary injunction postponing the effective date of the Department of Labor's overtime rule change. The new overtime rule requires employees be designated as overtime eligible if they earn less than \$47,476 per year or \$913 per week. The rule was scheduled to take effect on December 1, 2016. It is expected that the Department of Labor will appeal the ruling, however it is uncertain how long that process may take.

WSU employees who were designated as overtime ineligible but earning less than \$47,476 per year, were notified they would become overtime eligible effective December 1, 2016, as a result of the DOL rule change. However, due to this injunction, WSU will postpone converting employees to overtime eligible until this legal matter is resolved. HRS will prepare letters notifying affected employees in the coming weeks.

Employees whose salary was increased effective December 1 to meet the new salary test and remain overtime exempt (not eligible for overtime) will receive their salary increase.

Additionally, as part of the original salary test review, positions were reviewed to ensure they continue to meet the duties test as required by the Fair Labor Standards Act to be overtime ineligible. Therefore, your assigned [HRS Service Team](#) will notify you if a position must remain overtime eligible due to no longer meeting the duties test. Positions that meet the previous salary test of \$23,660 per or \$455 per week *and* meet the duties test as required by the Fair Labor Standards Act will remain ineligible for overtime.

If employees have concerns regarding overtime eligibility, please contact HRS: [HRS Service Teams](#).

Direct any questions regarding FLSA or this change to HRS: [HRS Service Teams](#).