

NDA Urges DOL to Withdraw Overtime Proposal

On Tuesday, NDA [submitted comments](#) to the Department of Labor (DOL) on their [proposed rule](#) to amend overtime pay regulations under the Fair Labor Standards Act (FLSA). The Department is proposing to increase the minimum salary threshold for overtime eligibility by 55% from \$35,568 per year to \$55,068 per year. The proposal would also implement automatic increases to the threshold every three years, regardless of economic conditions. NDA urged the Department of Labor to withdraw the proposed rule and highlighted the negative impact it would have on demolition contractors and their employees, including:

- limits on career advancement opportunities for employees;
- burdensome labor and compliance costs;
- decreased workplace flexibility and remote work options;
- elimination of middle management positions; and
- declines in employee morale.

NDA also expressed concern that the proposed rule does not properly account for regional variations in wages and cost of living, implements automatic increases to the salary threshold every three years regardless of economic circumstances, and is unnecessary given that DOL most recently raised the minimum salary threshold in 2019. Further, NDA highlighted the adverse effect the proposed rule would have on a fragile economy that is still struggling with supply disruptions, inflation, and workforce shortages. NDA will continue to closely monitor DOL's regulatory actions on overtime pay and work closely with industry partners and allies in Congress to highlight concerns about the proposed rule.