



# SBA Office of Advocacy Overtime Roundtable



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**Interested parties must RSVP to [Janis.Reyes@sba.gov](mailto:Janis.Reyes@sba.gov).**

The U.S. Small Business Administration, Office of Advocacy will be hosting this roundtable to discuss the Department of Labor’s proposed Overtime Regulations under the Fair Labor Standards Act (FLSA). This proposal increases the minimum salary for the “white collar” overtime exemption from \$23,660 annually to \$35,308 annually. This means that workers making under \$35,308 annually would be eligible for overtime pay. This proposed threshold is lower than the threshold of \$47,476 which was finalized by DOL in 2016, but never became effective.

Advocacy is holding this roundtable to hear directly from small businesses about the impact of this rule on their small business. Will small businesses still have significant economic impacts from the proposed \$35,308 salary threshold or is this threshold appropriate? What do small businesses think about other provisions of the proposed rule? Comments expressed during this roundtable do not take the place of submitting written comments to the regulatory docket. Comments on the rule are due May 21, 2019. For more information, please visit: <https://www.federalregister.gov/documents/2019/03/22/2019-04514/defining-and-delimiting-the-exemptions-for-executive-administrative-professional-outside-sales-and>

DATE: **Tuesday,  
April 30, 2019**

TIME: **9 – 11 AM**  
Check-in begins at  
8:30 AM

LOCATION:  
**Mobile Area Chamber  
of Commerce  
451 Government St.  
Mobile, AL 36602**

NO FEE

### Proposed Agenda

**8:30 a.m.-- 9:00 a.m.**

**Registration and Networking**

**9:00 a.m.-- 9:20 a.m.**

**Introduction & Overview of the Proposed Rule**

Janis Reyes, Assistant Chief Counsel, SBA Office of Advocacy  
Dan Brown, Regulatory Economist, SBA Advocacy

**9:20 a.m.-- 11:00 a.m.**

**Input from Interested Small Entity Stakeholders**

\*Agency staff from the Department of Labor have been invited to this event however their attendance has not been confirmed. Comments expressed during this roundtable do not take the place of submitting written comments to the regulatory docket.

*Roundtable meetings are open to all interested persons, with the exception of the press, in order to facilitate open and frank discussion about the impacts of Federal regulatory activities on small entities. Agendas and presentations are available to all, including the press. Anyone who wants to receive roundtable agendas or presentations, or to be included in the distribution list, should forward such requests to [Janis.Reyes@sba.gov](mailto:Janis.Reyes@sba.gov). The purpose of these Roundtable meetings is to exchange opinions, facts and information and to obtain the attendees’ individual views and opinions regarding small business concerns. The meetings are not intended to achieve or communicate any consensus positions of the attendees.*

Alabama SBDC Network is funded in part through a Cooperative Agreement with the U.S. Small Business Administration (SBA). Hosted by The University of Alabama. Nationally accredited by the Association of SBDCs.

Reasonable accommodations for persons with disabilities will be made if requested at least two weeks in advance. Contact Karla Jordan, Box 870396, Tuscaloosa, AL 35487-0396. 1-877-825-7232



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Issue for Discussion

April 30, 2019

## Request for Comments on DOL's Overtime Regulation

- In March 2019, DOL proposed a rule which increases the minimum salary for the "white collar" overtime exemption from \$23,660 annually to \$35,308 annually. This means that workers making under \$35,308 annually would be eligible for overtime pay.
- Workers for whom the exemption is claimed must also meet certain job duties for executive, administrative and professional employees.
- In 2016, DOL finalized a rule that changed this minimum salary to \$47,476. This rule was enjoined by a federal court and never became effective. Small businesses told Advocacy that the minimum salary level of \$47,476 set in the 2016 was too high, and disproportionately affected certain low wage regions and industries.
- This proposed rule also allows employers to use nondiscretionary bonuses and incentive payments (including commissions) that are paid annually or more frequently to satisfy up to 10 percent of the standard's salary level.
- DOL will propose updates to the salary thresholds every four years, with a notice-and-comment rulemaking period.
- Advocacy is seeking feedback on the economic impact of this rule on your small business, and if you can recommend any regulatory options that may minimize the cost of this rule.
- Comments on this rule are due May 21, 2019. Small businesses can comment on [Regulations.gov](https://www.regulations.gov). For more information, please visit: <https://www.federalregister.gov/documents/2019/03/22/2019-04514/defining-and-delimiting-the-exemptions-for-executive-administrative-professional-outside-sales-and>