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## Proposed Overtime Rule Published; Public Comment Period Open Until May 21

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The U.S. Department of Labor's proposed new overtime rule was [published in the Federal Register today](#). As described in [our earlier post](#), the proposed new rule would:

- **Raise the salary minimum for exemption as an executive, administrative, or professional employee to \$679 per week (\$35,308 per year).**
- **Allow employers to satisfy up to 10% of the salary minimum through nondiscretionary bonuses, incentives, and/or commissions that are paid annually or more frequently, or even in a catch-up payment at the end of the year.**
- **Raise the threshold for exemption as a "highly compensated employee" to \$147,414 in total annual compensation.**

Employers and other members of the public can submit written comments on the proposed rule until May 21, 2019. Comments can be submitted electronically (at [www.regulations.gov](http://www.regulations.gov)) or by mail to Melissa Smith, Director of the Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue NW, Washington, DC 20210. All comments should identify the proposed rule's Regulatory Information Number (RIN), 1235-AA20.

Following the DOL's review of the public comments submitted, it will prepare a final rule that may or may not contain changes from the proposed rule. The agency anticipates that the new rule will be effective in January 2020.

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