

Biden's Final Labor Moves - Employment Law This Week [Video, Podcast]

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This week, we're highlighting several last-minute changes from federal agencies before the Trump administration takes office.

These changes include the National Labor Relations Board's (NLRB's) recent ban on captive audience meetings, a federal judge's decision to vacate the Department of Labor's (DOL's) overtime rule, and the return of Wage and Hour Division opinion letters.

NLRB Outlaws Captive Audience Meetings

On November 13, 2024, the NLRB outlawed captive audience meetings, overturning nearly 80 years of precedent and removing a widely used tool for employers. Employers may still hold such meetings, but employee attendance cannot be mandatory.

Federal Judge Strikes Down DOL Overtime Rule

Earlier this year, the Biden administration's DOL released a [final rule](#) raising the salary threshold for overtime pay. On November 15, 2024, a federal judge in Texas vacated this overtime rule nationwide, not only preventing future increases from taking effect but also retroactively nullifying the increases implemented in July.

The Return of Wage and Hour Opinion Letters

We saw more last-minute action this month with the sudden return of Wage and Hour Division opinion letters. One such letter addresses overtime calculations, and the other details the use of leave under the Family and Medical Leave Act. During his first term, President Trump issued about 80 letters, whereas President Biden, following President Obama's approach, has released only four, including the two this month.

Other Highlights

Workplace Investigation Protocols: One-on-One with Greg Keating

For business leaders and in-house counsel, clear investigation protocols are crucial for managing whistleblowing and retaliation risks. Tune in as Epstein Becker Green's **Greg Keating** shares real-world strategies to protect corporate integrity and safeguard reputations.

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