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FOR IMMEDIATE RELEASE

Sept. 20, 2016

**Attorney General Alan Wilson Joins 21 States Challenging  
U.S. Department of Labor Overtime Rule**

**(COLUMBIA, S.C.)** South Carolina Attorney General Alan Wilson today joined a coalition of 21 states in filing a federal court complaint challenging the United States Department of Labor’s new overtime rule.

If implemented, the new rule will more than double the minimum salary overtime threshold for public and private workers without Congressional authorization. The rule will force many state and local governments to substantially increase their employment costs. Some governments may be forced to eliminate some services and even lay off employees. The complaint urges the court to prevent the implementation of the new rule before it takes effect, which is scheduled for Dec. 1, 2016.

“This administration is once again allowing unelected bureaucrats to circumvent congress and make up the rules as they go,” said Attorney General Wilson. “This overtime rule is bad for South Carolina businesses as it will put added pressure on business owners and take away employment opportunities for South Carolinians. Forcing these regulations on states is a violation of the 10th amendment and the rule of law.”

On March 13, 2014, President Obama ordered the Department of Labor to revise the Fair Labor Standards Act’s overtime exemption for executive, administrative and professional employees—the so-called “white collar” exemption—to account for the federal minimum wage. On May 23, 2016, the Department of Labor issued the final new overtime rule. It doubles the salary-level threshold for employees to be exempt from overtime, regardless of whether if they perform executive, administrative or professional duties. After Dec. 1, 2016, all employees are entitled to overtime if they earn less than \$913 a week—including state and local government employees. Additionally, the new rule contains a ratcheting mechanism to automatically increase the salary-level every three years without going through the standard rule-making process required by federal law.

In addition to South Carolina, other states who joined this filing include: Alabama, Arizona, Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Nebraska, Nevada, New Mexico, Ohio, Oklahoma, Texas, Utah and Wisconsin.

The filed complaint can be found [here](#).

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