



FPHRA E-News

July 2015, Issue 10

Proposed Changes to FLSA White Collar Exemption, are you ready?

On July 6, 2015, the U.S. Department of Labor publically released proposed changes to the FLSA white-collar exemptions that could have sweeping effects on all employers, large and small. Even though the final regulations will not go into effect until sometime in 2016, employers need to begin their internal assessment and planning now.

The proposed rule seeks to increase the minimum threshold salary that an executive, administrative, or professional employee must earn in order to qualify for the exemption – from \$455 per week to \$970 per week. It also proposes to automatically increase the salary level threshold annually.

As such, the proposed rule will impact any employer with exempt management, administrative, or professional employees making under \$50,000 per year – which means many small employers as well as large employers. It will also hit some industries harder than others. For example, hospitality, tourism, retail, and restaurant industries will be hit the hardest, because those industries tend to have a number of lower-earning manager-level employees.

Employers should begin their planning by internally analyzing exempt positions and identifying options to minimize negative impacts on employee relations, direct payroll costs, indirect administrative costs, and general operations. Employers are strongly advised to do these analyses under the guidance of an experienced wage and hour attorney due to the complexity of potential issues and the availability of the attorney-client privilege to protect candid discussions involving legal advice and risk management.

The proposed rule also seeks comments on whether to change the primary duties test. Under that test, employers must establish that the employee's "primary duty" is in the performance of exempt work – e.g., administrative, executive, or professional duties. The proposed rule asks community members to comment on whether to change that test by setting a minimum percentage amount of time that must be spent performing exempt tasks in order to qualify under the exemption. Finally, the proposed rule seeks comments on whether to include non-discretionary bonuses and incentive payments to count toward a portion of the salary level requirements for white-collar workers.

The 60-day comment period runs until Sept. 4, 2015. After that, the DOL will make final revisions, await clearance by the White House Office of Management and Budget, and then issue the final rule. It is expected that the rule will become effective sometime in 2016.



2015 FPHRA Conference

July 31 – August 5

Ft. Lauderdale Marina HILTON

DON'T MISS OUT - IT'S NOT TOO LATE!!!

For those of you attending, don't forget to bring your WILD about HR clothing and a sweater in case you get cold in the meeting rooms

The 2015 FPHRA annual conference is at the Ft. Lauderdale Hilton Marina Hotel. Don't wait to book your room and register for the conference. Rooms are almost sold out.

[2015 Pre-Conference Schedule.pdf](#)

[2015 Conference Schedule.pdf](#)

Colette Carlson, our Keynote, is offering great speaking opportunities to FPHRA members.



Want to lower stress, increase productivity and reduce conflict in your office...while having fun?

Then don't miss this once-in-a-lifetime opportunity...

Bring communication expert and FPHRA's Keynote Speaker Colette Carlson into your place of business this August!

Not only is this hilarious, content-rich speaker joining us all the way from coastal San Diego, but Colette is excited to provide additional training for you and your teams at her piggy-back rates. Learn why companies like Microsoft, Costco, Procter & Gamble and the United States Government have her delivering in-house programs on everything from leadership to communication and from stress to sales. Yes, Colette is laugh-out-loud funny, but she is equally driven to insure attendees change behavior and take action as a result of your investment. For nine years her monthly column, Tactfully Speaking, has been featured in Business Management Daily, as well as, articles in Success and Working Mother Magazines. In addition, she is a Certified Speaking Professional, a designation held by just 10 percent of speakers worldwide. See Colette in action at www.ColetteCarlson.com.

Call 760-230-1212 to learn how Colette can bring laughter,
learning and value to you today!

SNAP! CLAP! WOOHOO! Candy's back!

Hey my FPHRA folks!

I am coming back to be the closing keynoter for your 2015 Conference...super excited! Wanted to throw out another great offer like I did last year...if any of you are in need of training for your offices, teams or whole darn organization I would love to be your go-to-person! Remember...my topics are [Generational Differences](#), [Personality Difference and Emotional Intelligence](#). I will be

speaking for your FPHRA on August 5th, but I am willing to fly in before or stay later to help you out with training. Here is the exciting part I will give you my **"Candy will already be in town discount"** like I did last October for : Village of Royal Palm Beach, St. Lucie County Clerks, FCCC Conference and Flagler County Commissioners



Give me a shout soon... so we can get you on my calendar! Candy Whirley, MM

SBG Services, LLC

Author "It Takes 4 To Tango", Co-Author "Magnetic Leadership", Co-Author "Ordinary Women...Extraordinary Success", Author "My Secret Island Oasis - A Guided Meditation"

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OTHER USEFUL LINKS:

[2015 W-4 Form.pdf](#)

[Florida Minimum Wage 2015 Announcement.pdf](#)

[2015 Limits for Health Accounts and Deferred Comp.pdf](#)

- Other Public Sector HR News Tid Bits -

Certification through FPHRA

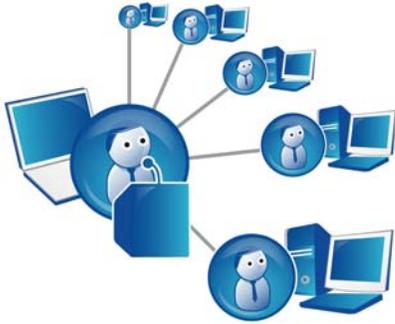
PPP Certification is one more way to distinguish yourself from other HR Professionals. Certification requirements are listed on the website. Full pre-conference Foundations attendance is mandatory along with 3 of the 5 most recent main conferences. An additional 24 hours of other approved training is required, which can consist of Webinars, Regionals, or full attendance to the Masters or In Depth pre-conference seminars. If you are already certified,



please be sure to track when you are due for your recertification. See recertification requirements on the website.

Remember to check your membership profile page for accuracy of information including your email address, name spelling, title, and attendance dates.

FPHRA Webinars



FPHRA continues to provide to all paid members Webinars on various topics. All participants logged into the webinar will get credit towards their certification/recertification hours for participating in the webinar session.

Be on the lookout for announcements and sign up for upcoming programs.

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