



E-Alliance Extra

Missouri Alliance for Home Care

2420 Hyde Park, Suite A • Jefferson City, MO 65109 • P (573) 634-7772 • F (573) 634-4374

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Special Update: Overtime Litigation

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FROM: NAHC Report

Chief Justice Roberts of the U.S. Supreme Court denied the Application for a Stay of the Court of Appeals ruling in the lawsuit challenging the U.S. Department of Labor rule changes affecting minimum wage and overtime compensation for home care aides and live-in personal care services. This means that the challenged rules will go into effect on or about October 13, 2015.

NAHC and its co-plaintiffs are evaluating further litigation options in the case. At this point, the remaining option is to ask the Supreme Court to hear the case on the merits while the new rules are in effect. It takes four justices to agree to hear the case out of the full Court of nine justices and a majority of five to overturn the appellate court's ruling.

NAHC continues to pursue legislative relief as well. However, it is highly unlikely that such relief will occur prior to October 13. As such, home care companies affected by the new DoL rules must implement whatever actions they have planned in order to achieve compliance with the new rules. Further guidance will be issued by NAHC shortly.

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MAHC Members: MAHC has a partnership agreement with SESCO, a HR consulting company, to provide limited free services and reduced fees for MAHC Members. You may want to contact SESCO if you have any specific HR questions. Bill Ford at: Bill@sescomgt.com

Mary Schantz

Ex. Director
Missouri Alliance for Home Care
2420 Hyde Park
Jefferson City, MO 65109

