

Federal Judge Strikes Down DOL Overtime Rule

Last Friday, a federal judge in the U.S. District Court for the Eastern District of Texas struck down the Department of Labor's (DOL) [new overtime rule](#) which went into effect in July. The federal judge determined that the Department of Labor exceeded its rulemaking authority under the Fair Labor Standards Act when issuing the new rule. The ruling represents a win for NDA who has spent the last several months [raising concerns](#) about the rule's impact on the demolition industry with DOL and lawmakers in Congress.

Prior to Friday's court decision, the Department of Labor's overtime rule raised the minimum salary threshold for salaried employees to be exempt from overtime pay to \$43,888 and to \$132,964 for highly compensated employees on July 1, 2024. The minimum salary threshold was set to rise again to \$58,656 on Jan. 1, 2025. The rule also required automatic updates to the threshold every three years.

- Following the judge's ruling, the minimum salary threshold is once again returned to \$35,568, and the threshold for highly compensated employees is returned to \$107,432.
- There will no longer be automatic updates to the threshold every three years.
- While the Biden administration could technically appeal the ruling to a higher court in the next two months, the incoming Trump administration is not expected to defend the rule in court next year. This will effectively kill the current version of the rule.

DOT Announces \$580 Million for Port Infrastructure Projects

This week, the U.S. Department of Transportation announced \$580 million from the Bipartisan Infrastructure Law to fund 31 port improvement projects in 15 states and one U.S. territory. The funding will help increase both capacity and efficiency at coastal seaports, Great Lakes ports, and inland river ports. More information on the projects can be [found here](#).