




Office of the Chancellor

New Mexico State University System
MSC 3Z
P.O. Box 30001
Las Cruces, NM 88003-8001
575-646-2035, fax: 575-646-6334
president@nmsu.edu

DATE: November 23, 2016

TO: All Regular Employees, All Campuses

FROM: Garrey Caruthers, Ph.D.
Chancellor, NMSU System 

SUBJECT: Temporary Court Injunction on the Dec. 1 Fair Labor Standards Act (FLSA) Overtime (OT) Changes

Yesterday, a federal court in Texas issued an injunction that creates uncertainty about how, or if, the Department of Labor's new regulations on overtime pay exemptions will be implemented. Those rules were previously slated for implementation on December 1, 2016. As a result, a decision has been made to postpone NMSU's implementation of FLSA conversions until such time as the courts issue further legal guidance. In the interim, we will operate as follows:

- Pay cycles for all employees will remain unchanged.
- Employees who are currently exempt will remain exempt.
- All previous reclassifications related to the FLSA changes will remain in effect.
- All affected employees will be notified individually.

NMSU understands that the last few months have been difficult, and we will continue to keep you informed on any new developments as the status of the new FLSA regulations continues to unfold. I appreciate the work by all employees through the last several months. Your willingness to participate in the public sessions and specifically the hundreds of hours spent by staff to prepare to comply with this directive has been an immense task. I commend you for all your efforts.

You are encouraged to continue to view updates on our website at <http://hr.nmsu.edu/flsa/>. Thank you for everything you do to make this a great university and a caring community that transforms lives through discovery.

Have a safe and happy Thanksgiving holiday.