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How does the new overtime pay law impact the LGBTQ community?

What is the new overtime pay law?

Last year, the Department of Labor (DOL) expanded the number of workers who qualify for overtime pay. Under the new overtime pay law, salaried "white-collar" workers, such as retail associates, office managers, or administrative assistants, who make less than $47,476 a year are eligible for overtime pay. Under the new law, the $47,476 salary threshold would be automatically updated every three years (beginning January 1, 2020). These new regulations extend overtime pay protections to 12.5 million salaried workers.

Under the previous overtime pay law, overtime pay was required for salaried "white-collar" employees who made less than $23,660 annually, which is below the poverty level set by the federal government for a family of four. The new rule was set to go into effect December 1, 2016. However, business trade associations and conservative attorneys general are seeking through the courts to block the agency from enforcing the law. To make matters worse, the Trump administration is actively working to undermine the law, despite it already being on the books.

Without the new overtime pay protections many workers will continue to work in excess of 40 hours per week and be denied the wages they deserve, which hurts workers, their families, and our economy.

For more details on the rule, please see Economic Policy Institute's overtime pay information page.

How would the new overtime pay law impact LGBTQ workers and their families?

DOL's overtime pay rule change would benefit hundreds of thousands of LGBTQ workers, their families, and their communities.

Despite the significant political, social, and legal gains made by the LGBTQ community in the United States, many LGBTQ workers still struggle to make ends meet. LGBTQ individuals – particularly women, transgender people, and people of color – experience higher rates of poverty than do the general U.S population. In addition to workplace discrimination, working and low-income LGBTQ people problems include, but are not

limited to, unpaid sick and family leave, non-living wages, and a lack of free or affordable childcare, healthcare, and housing.

Under the new law, LGBTQ people who struggle to pay bills and put food on the table – even after working more than 40 hours a week – would be paid for their extra hours of hard work. In addition, the new rule will reduce many individuals' workweek to 40 hours, thus giving them more time with their families or providing an opportunity to work a second job.

Like everyone else, LGBTQ people dream of getting ahead. Every day LGBTQ people are struggling to attain higher education, find a fulfilling job, make enough money to afford quality housing and healthcare, save for the future, and spend time with and support a family. While the new overtime pay rule does not address all barriers to economic security or employment discrimination encountered by low- and middle-income workers, the law provides LGBTQ people with a greater, more equal opportunity to fulfill their potential and pursue their dreams. The new rule thus marks a significant policy gain for working LGBTQ people and families.

How can I make my voice heard?

1. Let the Department of Labor know that you support the new overtime pay rule. Urge the agency to defend and fully implement the law, keep the salary threshold at $47,476 (or more) and require the salary threshold to be automatically updated every three years.

2. Tell your member of Congress to support legislation that would make the new overtime pay regulations a federal statute. A federal statute is a law that Congress passes and the president signs (unlike a regulation, which a federal agency creates under legal authority granted to it by Congress). This would guarantee that neither President Trump nor future presidents could revoke the new overtime pay protections without a new law being passed.

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