



POLICY MATTERS

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September 19, 2019

Scalia One Step Closer to Secretary of Labor. Today, the Senate HELP Committee held a [hearing](#) on the nomination of Eugene Scalia to serve as Secretary of Labor. The hearing went as expected, with Republican Senators generally supportive of his nomination, and Democratic Senators expressing concern about his record of representing employers, as well as the amount of time provided to review his record. It appears at this point, however, that we are looking only at the question of “when” — not “whether” — we will see Secretary Scalia.

Salary Level Increase About to Get Real. The White House Office of Management and Budget Office of Information and Regulatory Affairs has [completed its review](#) of the Final Rule increasing the salary threshold required for the Part 541 exemption under the FLSA. This is one of the final steps before the Labor Department publishes the Final Rule in the Federal Register. The proposed rule set the standard level at \$35,308, and the highly compensated employee threshold at \$147,414. No word yet on what to expect in the Final Rule.

“Per Country” Bill to Hit Senate Floor? You will recall that the House passed The Fairness for High Skilled Immigrants Act, [H.R. 1044](#), on July 10 by the wide margin of 365 - 65. The Senate was poised to take up its version of the bill, [S. 386](#), today (by unanimous consent), but objections were again raised, this time by Senator Perdue. Senator Rand Paul earlier had objected to the bill due to concerns over how it would impact nursing shortages; those concerns apparently have been resolved. Another key player — Senator Grassley — is also reportedly on board with the bill, now that certain changes to H-1B procedures had been incorporated. Stay tuned.....

Independent Contractors Take Center Stage. Fresh on the heels of the Governor [signing California's AB5](#), the House Workforce Protections Subcommittee has announced a [hearing](#) next week on “Misclassification of Employees: Examining the Costs to Workers, Businesses, and the Economy”. More on the hearing in next week's Policy Matters.

California Legislative Update. Last Friday marked the Legislature's last day to pass bills to Governor Newsom's desk for approval in the first year of the 2019-2020 Legislative Session. [Seyfarth's California Peculiarities blog](#) has all the key updates

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