DATE: October 5, 2016

TO: All NMSU Employees

FROM: Garrey Carruthers, Ph.D.
Chancellor

SUBJECT: Fair Labor Standards Act (FLSA)

Over the past few weeks, Kathy Agnew, director of Employment/Comp Services, has hosted multiple sessions for employees regarding the changes in the Fair Labor Standards Act (FLSA) announced by the Department of Labor earlier this year. In August, you received a memo indicating that we would enact this change on Nov. 1 to avoid these changes happening during the holiday season.

On Sept. 20, New Mexico joined a group of 21 states in a lawsuit filed in federal court challenging the constitutionality of these rule changes. Then, last week, the House of Representatives passed a bill that would delay the implementation of these rules for six months. Although many in our country hold great pessimism that either action will impact the Dec. 1 Federal deadline, it has caused us to review our implementation timeline since this mandated change has created a great deal of stress among many of our employees.

Since there are others factors in play at the national level that may delay the implementation of the new FLSA rules, we will move our implementation date to Dec. 1 and continue to monitor the issue at a national level.

We will continue to plan and work toward being in full compliance with the law. Toward that end, supervisors will be trained on how their work will be impacted by these rule changes. This delay will give affected employees a little more time to plan for the change. We will continue to work together to manage these Federal mandates in the best way possible.

I appreciate the work that each of you do for our students as well as our state. More information can be found on the Human Resource Services FLSA website – http://hr.nmsu.edu/flsa/. All employees are also invited to attend the Employee Council forum on this issue at 8:30 a.m. Monday, October 10, in the Corbett Center Auditorium.