



**College and University Professional
Association for Human Resources**

September 22, 2023

Jessica Looman
Principal Deputy Administrator
Wage and Hour Division
Department of Labor
Room S-3502
200 Constitution Avenue, N.W.
Washington, DC 20210

Re: Extension Request for Notice of Proposed Rulemaking, “Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees” (RIN 1235-AA39)

Dear Principal Deputy Administrator Looman:

I write on behalf of the College and University Professional Association for Human Resources (“CUPA-HR”) to request a 60-day extension to the comment period on the agency’s proposed rulemaking, “Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees” (RIN 1235-AA39). We believe additional time will provide the higher education community sufficient time to fully analyze and respond to the Wage and Hour Division’s proposal to modify the overtime pay exemptions for affected employees on campus.

CUPA-HR serves as the voice of human resources in higher education, representing more than 33,000 human resources professionals and other campus leaders at more than 1,800 colleges and universities across the country, including 91 percent of all U.S. doctoral institutions, 74 percent of all master’s institutions, 51 percent of all bachelor’s institutions, and more than 500 two-year and specialized institutions.

The Wage and Hour Division (WHD) proposes an increase to the minimum salary threshold that is nearly 55% higher than the current levels, as well as automatic updates to the threshold every three years. Such substantial changes will undoubtedly impact tens of thousands of

current and future workers on our campuses, especially given that many of our institutions are reliant on fixed State appropriations and federal research grants for funding, and host unique academic positions that may not easily align with these proposed regulatory adjustments. We therefore ask for the additional 60-day extension to ensure we have adequate time to understand the total impact of the rulemaking. The longer comment period will allow us time to collect and analyze data from our member institutions to fully address costs and challenges of this proposal in our final comments.

Given the sizable impact this rule will have on campuses nationwide, an additional 60 days will ensure stakeholders like CUPA-HR can collect and provide meaningful information and data to help WHD understand how this rule will play out on campus. We therefore urge the agency to extend the comment period by 60 days.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bailey Graves". The signature is fluid and cursive, with the first name "Bailey" written in a larger, more prominent script than the last name "Graves".

Bailey Graves

CUPA-HR Government Relations Team

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