



KEY LABOR AND EMPLOYMENT ISSUES IN THE HEALTHCARE SECTOR

**UT Law CLE
28th Annual Health Law Conference
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DEPARTMENT OF LABOR GUIDANCE AND INITIATIVES

DOL Initiatives

1. Narrowed companionship exemption
2. No exemption for 3rd party employers
3. Proposed salary increase to \$47,892 (indexed) for exemptions
4. Aggressive stance on employee classification and enforcement MOUs

Economic Reality

1. How integral
2. Worker opportunity for profit
3. Relative investment
4. Special skill and initiative
5. Permanency
6. Control

Enforcement Reality

“In sum, most workers are employees under the FLSA’s broad definitions. The very broad definition of employment under the FLSA as ‘to suffer or permit to work’ and the Act’s intended expansive coverage for workers must be considered when applying the economic realities factors to determine whether a worker is an employee or an independent contractor.”

www.dol.gov/whd/workers/Misclassification/AI-2015_1.htm

ALTERNATIVE METHODS OF COMPENSATION

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Title search: Key Labor and Employment Issues in the Healthcare Sector

Also available as part of the eCourse

[Developments and Hot Topics in Healthcare Operations](#)

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"Key Labor and Employment Issues in the Healthcare Sector"