

OK at Work: The Department of Labor's 2024 Classification Ruling

January 23, 2024

By Russell B. Berger and Sarah M. Sawyer

On this week's OK at Work, [Sarah Sawyer](#) and [Russell Berger](#) discuss the Department of Labor's (DOL) 2024 final rule for classifying workers as employees or independent contractors under the Fair Labor Standards Act (FLSA). This new rule rescinds the 2021 rule, which emphasized examination of a company's control over the work and the worker's opportunity for profit or loss when assessing whether a worker is an employee or contractor. Under the new rule, the DOL returns to a collective analysis of several factors, including the previously emphasized factors but also including factors like the permeance of the working relationship between the worker and the company, whether the work performed is an integral part of the company's business, and the specialized skills needed to perform the role. Listen to learn more!