

## Tammy D. McCutchen

Principal

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### Focus Areas

Wage and Hour  
Legislative and Regulatory Practice  
Staffing, Independent Contractors and Contingent Workers  
Government Contractors  
Construction  
ComplianceHR  
Workplace Policy Institute  
Littler PAID Forward

### Overview

A former administrator of the wage and hour division at the U.S. Department of Labor, Tammy D. McCutchen is a leading authority on federal and state wage and hour laws who now represents and counsels management clients in connection with all types of labor and employment matters. She focuses her practice on:

- Compliance with the Fair Labor Standards Act and state wage-hour laws
- Conducting audits of overtime exemption classifications, non-exempt pay practices and independent contractor status
- Implementing compliance programs designed to avoid wage and hour disputes and lower potential litigation liabilities
- Representing employers being investigated by the DOL's Wage and Hour Division and similar state agencies

She also regularly serves as a consulting or testifying expert witness in wage-hour collective and class actions.

Additionally, Tammy represents and counsels clients on:

- The Family and Medical Leave Act

- The Service Contract Act
- The Davis Bacon Act
- The Migrant and Seasonal Worker Protection Act
- Worker protections in federal immigration laws
- Reasonable accommodation under the Americans with Disabilities Act
- Federal and state discrimination laws
- Affirmative action and prevailing wage requirements for government contractors

She appears before state and federal courts, the Equal Employment Opportunity Commission, the DOL, and state agencies.

A frequent speaker, Tammy has lectured about wage and hour issues before trade associations, business organizations, and human resource groups. Most frequently, she works with clients in the following industries:

- Retail
- Restaurant
- Hospitality
- Janitorial
- Security
- Manufacturing
- Insurance
- Accounting
- Healthcare

Tammy is co-chair of Littler Mendelson's Compliance Audit Services Practice Group and a core member of the Wage and Hour Practice Group. She also is the primary architect of the firm's AuditQB software tool for conducting employment compliance audits.

While at the DOL from 2001 to 2004, Tammy was responsible for enforcing, setting policy and preparing regulations for some of the country's most comprehensive labor laws, including:

- The Fair Labor Standards Act
- The Family and Medical Leave Act
- The Davis-Bacon Act
- The McNamara-O'Hara Service Contract Act
- The Medicare Secondary Payer Act

She managed the annual budget and 1,400 employees, represented by two unions, in more than 250 offices across the country. She was a primary architect of the first major changes to DOL overtime regulations in 50 years and, under her leadership, the DOL increased enforcement by 60% in two years, while collecting millions of dollars in back wages.

Before working at the DOL, Tammy was senior counsel at a global chocolate corporation, where she provided counseling on labor and employment matters involving employees at corporate headquarters, field sales offices, and manufacturing plants located in the United States, Canada and Mexico. She was responsible for:

- Managing employment litigation
- Advising the company on collective bargaining and labor arbitration issues
- Managing the preparation and implementation of affirmative action plans
- Providing assistance to the Diversity Council
- Conducting training for managers on recognizing and responding to discriminatory harassment

Tammy also clerked for Judge Daniel A. Manion on the United States Court of Appeals for the Seventh Circuit and practiced law in Chicago for eight years.

## Professional and Community Affiliations

- Member, Labor and Employment Law Section, American Bar Association
- Member, Editorial Advisory Board, Law360, 2013, 2017-2018
- Chair, Labor and Employment Practice Group, Federalist Society
- Member, Small Business Legal Advisory Board, National Federation of Independent Business

## Recognition

- Named, The Best Lawyers in America®, 2018-2019
- Named, America's Leading Lawyers for Business, *Chambers USA*, 2012-2018
- Order of the Coif

## Education

J.D., Northwestern University School of Law, 1990, *cum laude*

B.A., Western Illinois University, 1987, *summa cum laude*

## Bar Admissions

District of Columbia

Illinois

## Publications & Press

### DOL Sends Proposed Overtime Rule to the White House

*Littler ASAP*

January 10, 2019

**DOL Extends PAID Program, Presenting Employers with "Third Option" to Release FLSA Claims**

*Littler ASAP*

November 6, 2018

**DOL Extends Violation Self-Reporting Program - But Should Employers Bite?**

*HR Dive*

October 18, 2018

**Joint Employment, Wage and Hour Changes are on the Regulatory Horizon**

*Littler ASAP*

October 17, 2018

**DOL Extends PAID Pilot Program**

*SHRM Online*

October 9, 2018

**DOL Issues Six New Opinion Letters and Establishes a New Office of Compliance Initiatives**

*Littler ASAP*

August 28, 2018

**Best Lawyers in America© 2019 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 15, 2018

**DOL Signals Return to Historical Test to Divide Worker Classification**

*TLNT*

July 23, 2018

**DOL Signals Return to Historical Test to Divide Worker Classification**

*SHRM Online*

July 23, 2018

**Trump Administration DOL Issues First Substantive Guidance on Independent Contractors**

*Littler ASAP*

July 17, 2018

**Labor Dept. Still Doubling Down on Most Wage Settlements**

*Bloomberg Law*

July 9, 2018

**Littler Ranked in 2018 Chambers USA Guide**

*Littler Press Release*

May 15, 2018

**Federal Overtime Rule Changes Are Coming**

*SHRM Online*

May 11, 2018

**Surprise Plan for Calculating Overtime on Labor Dept. Agenda**

*Bloomberg Law*

May 9, 2018

**High Hopes, Hazy Role for Labor Department's Second-in-Command**

*Bloomberg Law*

April 27, 2018

**Littler and ComplianceHR Launch PAID Forward Solution for Wage and Hour Compliance**

*Littler Press Release*

April 23, 2018

**DOL Issues New Information on its PAID Self-Audit and Self-Reporting Program**

*Littler ASAP*

April 20, 2018

**Step-by-Step Guide to Complying with White-Collar Exemptions**

*SHRM Online*

April 16, 2018

**4 Pay Practices That Could Put Your Company in Legal Danger**

*CFO Daily News*

April 13, 2018

**DOL Issues Three Opinion Letters and One Fact Sheet**

*Littler ASAP*

April 13, 2018

**DOL: Use of Self-reporting Program Won't Invite Additional Investigations**

*HR Dive*

April 5, 2018

**Labor Dept. Plan to Circumvent Wage-Hour Lawyers May Backfire**

*Bloomberg Law*

April 3, 2018

**Will DOL's Self-reporting Program Paint a Target on Employers' Backs?**

*HR Dive*

March 29, 2018

**Labor Dept. 'Cut the Red Tape' Summit a Business Affair**

*Bloomberg Law*

March 27, 2018

**Ex-DOL Admin's Warning About New OT Rule: Don't Throw Away Your Old Pay Plans**

*HR Morning*

March 21, 2018

**Self-Audit in Response to DOL PAID Pilot Program**

*SHRM Online*

March 16, 2018

**Overtime Threshold Will Rise to Mid-30,000s, Attorneys Say**

*Bloomberg BNA Daily Labor Report*

March 15, 2018

**Overtime Rule Changes Are Coming, But Will They Be in Time?**

*SHRM Online*

March 14, 2018

**'I am Worried': Former DOL Official Says \$47K Overtime Rule Still a Possibility**

*HR Dive*

March 13, 2018

**DOL Launches Payroll Audit Independent Determination (PAID) Program to Promote Self-Reporting and Early Resolution of Wage and Hour Claims**

*Littler ASAP*

March 7, 2018

**Labor Department to Test Voluntary Reporting for Wage Violators**

*The Wall Street Journal*

March 6, 2018

**DOL Opinion Letters: Flawed, But the Best Option Available?**

*HR Dive*

March 1, 2018

**Former DOL Admin: 4 Risky Pay Practices the Feds Have a Field Day With**

*HR Morning*

October 20, 2017

**Federal Court Invalidates New Overtime Rule**

*Littler ASAP*

September 5, 2017

**Best Lawyers in America® 2018 Edition Honors More Than 200 Littler Lawyers**

*Littler Press Release*

August 17, 2017

**DOL: Opinion Letters Are Back!**

*Littler ASAP*

June 27, 2017

**Top 10 Payroll Mistakes**

*Employee Benefit News*

June 22, 2017

**Littler and Its Attorneys Receive Top Rankings in 2017 Chambers USA Guide**

*Littler Press Release*

May 26, 2017

**Don't Stop Complying With Independent Contractor Rules**

*Bloomberg BNA*

April 25, 2017

**Changes May Be in Store for Overtime Rule, FLSA**

*HR Daily Advisor*

March 16, 2017

**What's Next for Employers Under the FLSA Overtime Rule?**

*SHRM Online*

March 15, 2017

**Fear of Immigration Raids May Harm Workplace Rights**

*Bloomberg BNA Daily Labor Report*

March 1, 2017

**Littler Earns Top Rankings in Financial Times 2016 North America Innovative Lawyers Report**

*Littler Press Release*

December 6, 2016

**Federal Court Blocks New Overtime Rule**

*Littler ASAP*

November 23, 2016

**What You Need to Know About the New Overtime Rules**

*Fortune*

October 31, 2016

**HR Must Determine Overtime Strategies, Communications ASAP**

*Bloomberg BNA*

October 31, 2016

**30 Days to Comply with the DOL's New Overtime Rules: Are You Ready?**

*Littler Podcast*

October 28, 2016

**Changes to Overtime Rules are Coming – Here's What Retailers Should be Concerned About**

*National Retail Federation*

October 17, 2016

**Fast-Food Industry Stuck on Franchisee Training Issue**

*Bloomberg BNA Daily Labor Report*

October 11, 2016

**Obama Wage Enforcers' Top Targets: Subway, McDonald's, Dunkin'**

*Bloomberg BNA Daily Labor Report*

September 1, 2016

**Survey: Employers Still Taking 'Wait-and-See' Approach on New Overtime Regs**

*HR.BLR.com*

August 8, 2016



**The DOL's New Overtime Regulations**

*Today's General Counsel*

August 1, 2016

**Adopt New FLSA Overtime Rules Before December Deadline, Former DOL Official Says**

*HR.BLR.com*

July 26, 2016

**Report Highlights Employers' Biggest Concerns: ACA, New Bias Claims and OT Regs**

*HR Morning*

July 13, 2016

**Business Executives Concerned about Overtime Rule, Survey Finds**

*The Hill*

July 13, 2016

**Survey: Overtime Rule, LGBT Discrimination, ACA Have Employers Worried Most**

*HR Dive*

July 13, 2016

**Littler Survey Shows Employers Grappling With Regulatory, Social Changes**

*Littler Press Release*

July 12, 2016

**11 Remarkable Overtime Rule Tips From DOL Insider**

*HR Morning*

June 24, 2016

**Employers Must Start Planning for Overtime Compliance**

*SHRM Online*

June 22, 2016

**Democrat Pushes Rider to Block NLRB's Joint Employer Ruling**

*Bloomberg BNA Daily Labor Report*

June 21, 2016

**Tips for Tackling the New Overtime Rule**

*Modern Distribution Management*

June 20, 2016

**What Every Small Business Owner Needs to Know About DOL's New Overtime Rule**

*Federation of Independent Business*

June 13, 2016

**New Overtime Rule: Lots of Work Ahead, But It Could've Been Worse**

*Restaurant Finance Monitor*

June 9, 2016

**Overtime Rule Has Small Employers Re-Examining Benefit Offerings**

*Bloomberg BNA*

June 6, 2016

**Overtime Rule Has Small Employers Re-Examining Benefits**

*Bloomberg BNA*

June 1, 2016

**What are the Most Significant Changes the DOL Made to the FLSA's White Collar Overtime Regulations?**

*Littler Insight*

May 31, 2016

**Chambers USA Recognizes Littler and Attorneys in 2016 Guide**

*Littler Press Release*

May 27, 2016

**The DOL's New Overtime Rule Is Here – What You Need to Do Now**

*Littler Podcast*

May 26, 2016

**What To Know About The DOL's New Overtime Regulations**

*Law360*

May 26, 2016

**U.S. Department of Labor Publishes Final Rule on FLSA Overtime Regulations**

*Littler ASAP*

May 18, 2016

**Will Obama's New Overtime Rules Actually Hurt Workers?**

*CNN Money*

May 23, 2016

**Morning Shift**

*Politico*

May 20, 2016

**How the new overtime rules could affect flexibility on the job**

*The Washington Post*

May 20, 2016

**Revised Overtime Rule a Hard Hit for Small Businesses, High Education**

*SHRM Online*

May 19, 2016

**OT Rule Poses Challenges**

*HR Executive Online*

May 19, 2016

**Final OT Rule Could Put Employers in Classification Bind**

*Law360*

May 18, 2016

**Obama Extends Overtime Pay to 4.2 Million Workers: Could it Backfire?**

*The Christian Science Monitor*

May 18, 2016

**Overtime Rule Issued; Salary Level to Increase Every Three Years**

*SHRM Online*

May 18, 2016

**Overtime Pay For Millions More Workers**

*The Atlantic*

May 18, 2016

**With New Overtime Rules, Employers Face Tough Choices**

*Corporate Counsel*

May 18, 2016

**Business Groups Will Try to Block Overtime Rule, But Don't Expect Them to Succeed**

*Washington Business Journal*

May 18, 2016

**Business Groups on OT: Let the Reclassification Begin**

*Politico*

May 18, 2016

**Say Goodbye To That Smartphone And Hello To A Time Clock Under New DOL Rules**

*Forbes*

May 18, 2016

**Employers to White House: Give Us More Time on Overtime Rule**

*Daily Labor Report*

May 17, 2016

**White House Details Sweeping Measure to Raise Wages**

*Politico*

May 17, 2016

**Overtime Pay May Become Reality for More U.S. Workers**

*The Associated Press*

May 17, 2016

**4 Ways the New Overtime Rules May Affect Your Paycheck**

*CNN Money*

May 17, 2016

**U.S. Extends Overtime Pay to 4.2 Million Salaried Workers**

*Reuters*

May 17, 2016

**Labor's Overtime Rule Awaited by Bills That Would Block It**

*CQ Roll Call*

May 13, 2016

**Breaking the News: When Workers Lose Their Exempt Status**

*SHRM Online*

May 13, 2016

**Key Senator Slams Rule To Expand OT Eligibility**

*Law360*

May 11, 2016

**GOP Recruiting Democrats for Bill to Block Overtime Rule**

*Bloomberg BNA Labor & Employment Law Resource Center*

May 11, 2016

**Littler's Tammy McCutchen Testifies Before Senate Committee on Overtime Regulations**

*Littler Press Release*

May 10, 2016

**Is the DOL's Final Rule Only Days Away?**

*Littler Podcast*

May 9, 2016

**Big News on DOL's New Overtime Salary Threshold**

*HR Morning*

May 4, 2016

**White House Weighs Overtime Rule Changes**

*The Hill*

May 4, 2016

**Littler Offers Compliance Guidance as Overtime Rule Changes Loom**

*Legaltech News*

April 21, 2016

**New Overtime Rules May Take Effect in Mid-July, McCutchen Says**

*Bloomberg BNA Daily Labor Report*

April 14, 2016

**Overtime Rule Changes Not Final, But Employers Rushing to Comply**

*Bloomberg BNA*

April 13, 2016

**Littler Launches Compliance Solution for New Overtime Rules**

*Littler Press Release*

April 12, 2016

**Obama's HR Legacy**

*Human Resource Executive*

March 24, 2016

**Republicans Launch Preemptive Attack on Overtime Rule**

*Bloomberg BNA*

March 17, 2016

**Overtime Rules Pose Massive Challenges for Employers**

*Employee Benefits News*

March 16, 2016

**Overtime Rule Advances Toward Publication**

*SHRM Online*

March 15, 2016

**A November Overtime Surprise from the DOL?**

*Bloomberg BNA*

March 14, 2016

**Law360 Employment Editorial Advisory Board**

*Law360*

February 26, 2016

**Final Overtime Rule's Release Date Remains Uncertain**

*SHRM Online*

February 17, 2016

**New DOL Guidance Has Chilling Effect on Third-Party Relationships**

*Compliance Week*

January 26, 2016

**WHD Stats Tell Mixed Story on Enforcement Success**

*Bloomberg BNA*

January 26, 2016

**Joint Employment Has 'Broad as Possible' Meaning, DOL Says**

*Bloomberg BNA*

January 22, 2016

**Morning Shift: Business Challenge to Joint Employer Guidance?**

*Politico*

January 21, 2016

**DOL Issues Guidance on Joint Employment under FLSA**

*Littler ASAP*

January 20, 2016

**Businesses On Notice After DOL Joint Employer Guidance**

*Law360*

January 20, 2016

**Labor Department to Suggest Designating More Businesses 'Joint Employers'**

*Wall Street Journal*

January 20, 2016

**Employment Legislation and Regulation To Watch In 2016**

*Law360*

December 24, 2015

**Ex WHD Chief: Employers Must Prepare for DOL Independent Contractor Approach**

*Bloomberg BNA Daily Labor Report*

October 30, 2015

**Guest Column: Anticipating Changes to Overtime Regs**

*Portland Business Journal*

October 2, 2015

**5th Circuit Rebuke Could Give Employers An Edge in DOL Fights**

*Law360*

September 23, 2015

**FLSA Guru Tammy McCutchen Discusses How to Get Ready for New Overtime Regulations**

*XpertHR Blog*

August 11, 2015

**Meet the overtime elite**

*Politico*

August 4, 2015

**House Panel Considers Effects of Overtime Proposal**

*Bloomberg BNA*

July 23, 2015

**Where the human resource worries reside**

*Fleet Owner*

July 17, 2015

**Opinion: Hillary, Obama meddle in the workplace again**

*MarketWatch*

July 16, 2015

**When an independent contractor is really an employee**

*CNN Money*

July 16, 2015

**Labor Department says dependency, not control, key in classifying workers**

*Reuters*

July 15, 2015

**Employers Brace for Scrutiny After Misclassification Memo**

*Law360*

July 15, 2015

**Employees vs. Independent Contractors: U.S. Weighs In on Debate Over How to Classify Workers**

*The Wall Street Journal*

July 15, 2015

**Clinton says she'd 'crack down' on independent contractor abuse. Obama already has.**

*The Washington Post*

July 15, 2015

**Overtime Reform, ACA, LGBT Policies Among Concerns for Today's Employers**

*Littler Press Release*

July 14, 2015

**DOL Publishes the Proposed Revisions to the White Collar Regulations and Sets a Deadline to Submit Comments**

*Littler ASAP*

July 7, 2015

**FLSA guru provides insight on proposed overtime changes**

*HR.BLR.com*

July 7, 2015



**The Top 10 Quotes from HR's Biggest Conference of the Year**

*Business Management Daily*

July 1, 2015

**Obama swings left with overtime regs**

*The Hill*

June 30, 2015

**Final OT Rule May Go Beyond Salary Hike, Lawyers Say**

*Law360*

June 30, 2015

**DOL Releases Proposed Revisions to "White Collar" Overtime Exemptions**

*Littler ASAP*

June 30, 2015

**Obama wants to make 5 million more workers eligible for overtime**

*CNN Money*

June 30, 2015

**Special Report with Brett Baier**

*Fox News*

6/30/2015

**5 million more Americans could soon be eligible for overtime pay — but critics say it won't mean any more money in the bank**

*Business Insider*

June 30, 2015

**Overtime Proposed Rule Could Wreak Havoc**

*Society For Human Resource Management*

June 29, 2015

**Why Your Overtime Expenses Are About to Skyrocket**

*Inc.*

June 29, 2015

**Why Your Overtime Expenses Are About to Skyrocket**

*Inc.*

June 8, 2015

**How Employers Can Avoid The Pitfalls Of Workplace Tech**

*Law360.com*

June 3, 2015

**With New OT Regs Looming, Lawyers Advise Early Planning**

*Law360.com*

May 26, 2015

**Chambers USA Recognizes Littler and Its Attorneys**

*Littler Press Release*

May 20, 2015

**4 ways the new overtime rules may affect your paycheck**

*CNN Money*

May 14, 2015

**DOL Sends Proposal to Narrow Overtime Exemptions to the White House**

*Littler ASAP*

May 6, 2015

**Littler Launches New Technology Solution for Employment Law Compliance**

*Littler Press Release*

May 6, 2015

**Supreme Court Sides with Labor Department In 'Rulemaking' Challenge**

*Thomson Reuters Westlaw Journal*

March 31, 2015

**The Supreme Court Sides with the Department of Labor in "Rulemaking" Challenge**

*Littler Insight*

March 11, 2015

**Supreme Court 9-0 Says DOL Didn't Need Rulemaking to Change FLSA Interpretation**

*Bloomberg BNA*

March 10, 2015

**Labor Department wins at SCOTUS**

*Politico*

March 10, 2015

**Supreme Court Sides with DOL on Change to FLSA Interpretation**

*Society for Human Resource Management (SHRM)*

March 10, 2015

**Supreme Court Conservatives Grudgingly Allow Labor To Change Its Mind**

*Forbes*

March 9, 2015

**OVERNIGHT REGULATION: Regulators win big at high court**

*The Hill*

March 9, 2015

**DOL's Use of Hot Goods Enforcement Tool Is Too Aggressive, Some Observers Contend**

*Bloomberg BNA Daily Labor Report*

November 25, 2014

**FLSA Proposed Rule Delayed**

*Society for Human Resource Management (SHRM)*

November 3, 2014

**Low wages, no overtime: The downside of being a retail 'manager'**

*Washington Post*

September 26, 2014

**New Overtime Rules Big Deal for HR**

*Society for Human Resource Management (SHRM)*

June 23, 2014

**High Court Loan Officer Suit May Curb Agency Flip-Flopping**

*Law360.com*

June 16, 2014

**5 Officials Employment Attys Need To Know**

*Law360.com*

May 30, 2014

**Littler and Its Attorneys Ranked In 2014 Chambers USA Guide**

*Littler Press Release*

May 23, 2014

**Ramped-Up Enforcement Expected Under New DOL Wage Chief**

*Law360.com*

April 30, 2014

**Concerns Over Overtime**

*Human Resource Executive Online*

April 15, 2014

**David Weil as Wage and Hour Administrator**

*Society for Human Resource Management (SHRM)*

March 31, 2014

**President Obama Directs the Department of Labor to Revise Federal Overtime Regulations**

*Littler Insight*

March 18, 2014

**Employers must prepare for overtime overhaul**

*Corporate Secretary*

March 18, 2014

**Obama overtime plan already stirring controversy**

*Associated Press*

March 14, 2014

**Tommy, overtime rule change?**

*WWL-AM 870*

March 14, 2014

**Obama to Direct Overtime Expansion Under Labor Law to Promote Wage Agenda**

*Bloomberg BNA Daily Labor Report*

March 13, 2014

**Obama Tackles Overtime**

*Human Resource Executive Online*

March 13, 2014

**Employers Should Brace Themselves For Obama's OT Push**

*Law360.com*

March 13, 2014

**What the new overtime rules mean for me**

*CNBC.com*

March 13, 2014

**Obama orders overtime rule changes**

*USA Today*

March 13, 2014

**Obama seeks middle class support by extending overtime pay**

*Washington Times*

March 13, 2014

**President Vows To Expand Overtime Pay, But Will Workers See Any Benefit?**

*Forbes*

March 12, 2014

**Business groups stunned as Obama gives millions overtime**

*The Hill*

March 12, 2014

**Obama to seek broad update to U.S. rules for overtime pay**

*Reuters*

March 12, 2014

**The President Goes to Overtime**

*Wall Street Journal*

March 12, 2014

**Obama's OT Expansion Could Hit Restaurants, Retailers Hard**

*Law360.com*

March 12, 2014

**High Court Finds Middle Ground On 'Clothes' Under FLSA**

*Law360.com*

January 29, 2014

**No Pay for Donning/Doffing Safety Gear, Supreme Court Says**

*Society for Human Resource Management (SHRM)*

January 28, 2014

**Supreme Court Finds Middle Ground on Definition of “Clothes” Under the FLSA**

*Little Insight*

January 28, 2014

**High Court Brings Clarity To 'Changing Clothes' Under FLSA**

*Law360.com*

January 27, 2014

**Justices Say Steel Workers’ Donning/Doffing Of Gear Is ‘Changing Clothes’ Under FLSA**

*Bloomberg BNA Daily Labor Report*

January 27, 2014

**Uncle Sam Looking Closer at Independent Contractors**

*FOX Business*

November 19, 2013

**Challenges and Best Practices for Home Care Employers Following the Elimination of the Companionship Exemption**

*Little Report*

November 7, 2013

**Supreme Court Hears Oral Argument and Appears to Seek Middle Ground on Definition of "Clothes" Under the FLSA**

*Little Insight*

November 5, 2013

**Sandifer Oral Arguments Reveal New Middle Ground**

*Law360.com*

November 5, 2013

**U.S. Supreme Court weighs fight over changing clothes at work**

*Reuters*

November 4, 2013

**Supreme Court to Define the Word "Clothes" and Settle DOL Flip-Flopping**

*Little ASAP*

November 1, 2013

**DOL Flip-Flopping Looms Large For High Court FLSA Hearing**

*Law360.com*

November 1, 2013

**Department of Labor Eliminates the Minimum Wage and Overtime Exemption for Most Home Care Aides**

*Littler Insight*

September 25, 2013

**Littler Mendelson Named in the 2013 Chambers USA Guide**

*Littler Press Release*

May 24, 2013

**Workplace Policy Institute: The Labor, Employment and Benefits Law Implications of the Affordable Care Act - Are You Prepared?**

*Littler Report*

May 9, 2013

**Regulators Crack Down on Classifying Workers as Contractors**

*Wall Street Journal*

March 3, 2013

**Drug Rep Ruling May Give Employers More Ammo In OT Suits**

*Law360.com*

June 20, 2012

**'Regulation By Amicus' No Longer An Option For Agencies**

*Law360.com*

June 19, 2012

**Supreme Court Reaffirms Status of Drug Sales Reps**

*BioWorld*

June 19, 2012

**Justices 5-4 Reject Labor Department View, Find Pharmaceutical Sales Reps FLSA-Exempt**

*Bloomberg BNA Daily Labor Report*

June 18, 2012

**Supreme Court's Pro-Pharma Decision On Sales Rep Overtime Reproves Informal Agency Policymaking**

*The Pink Sheet*

June 18, 2012

**SCOTUS Overtime & Implications**

*Washington Legal Foundation*

June 5, 2012

**Sales Reps, Overtime & The Labor Dept: Tammy Explains**

*Pharmalot*

April 17, 2012

**High Court Considers Drug Sales Reps' OT Status**

*Law360.com*

April 17, 2012

**New Jersey Issues Proposed Regulations to Restore Its Exemption for Commissioned Sales Employees**

*Littler Insight*

November 21, 2011

**New Jersey Proposes Reinstating Commissioned Sales Employee Exemption**

*Littler ASAP*

November 21, 2011

**New Jersey Inadvertently Eliminates Its Exemption for Commissioned Sales Employees**

*Littler Insight*

October 17, 2011

**NJ Inadvertently Eliminates Its Exemption for Commissioned Sales Employees**

*Littler ASAP*

October 14, 2011

**Chambers USA Honors Littler And Its Attorneys**

*Littler Press Release*

June 27, 2011

**Tammy McCutchen Named to National Federation of Independent Business' Advisory Board**

*Littler Press Release*

March 3, 2011

**Snow Days**

*Littler ASAP*

January 13, 2011

**Leon Rodriguez to Be Nominated for the Top Job at the Wage and Hour Division**

*Littler ASAP*

December 3, 2010



**Leon Rodriguez to Be Nominated for the Top Job at the Wage and Hour Division**

*Littler ASAP*

December 2, 2010

**Department of Labor to Provide Information and Documents from Wage-Hour Investigations to Employees and Plaintiffs' Attorneys**

*Littler ASAP*

December 2, 2010

**Littler Attorneys Honored by Chambers USA**

*Littler Press Release*

June 21, 2010

**Tammy McCutchen, Former Administrator of the Wage and Hour Division and Littler Shareholder, Comments on the Abolishment of the Employment Standards Administration at the U.S. Department of Labor**

*Littler ASAP*

July 10, 2009

**Transition To A New (Work) Day: An Initial Look at Workplace Change in the Obama Era**

*Littler Report*

November 25, 2008

**Total Wage and Hour Compliance: An Initiative to End the Wage and Hour Class Action War**

*Littler Report*

April 21, 2008

**Tammy McCutchen Says Employers Can Dock Pay**

*MSNBC.com*

June 15, 2007

**Littler Mendelson Welcomes Tammy McCutchen To Washington, D.C. Office**

*Littler Press Release*

March 9, 2007

**Speaking Engagements**

**The Good, the Bad and the Ugly: Recent Developments on Independent Contracting**

December 7, 2018

**The Good, the Bad and the Ugly: Recent Developments on Independent Contracting**

November 29, 2018

**Second Session - Overtime Redux: Here We Go Again!**

October 2, 2018

**Overtime Redux: Here We Go Again!**

September 25, 2018

**Artificial Intelligence: Taking the Human Out of Human Resource?**

2018 Mid-Atlantic Employer Conference, Washington, D.C.

June 5, 2018

**Misclassification**

Littler Executive Employer, Phoenix, AZ

May 4, 2018

**Audits**

Littler Executive Employer, Phoenix, AZ

May 4, 2018

**Understanding the DOL's PAID Program: What it Means and How to Self-Audit for Compliance Success**

Littler Executive Employer, Phoenix, AZ

May 3, 2018

**A ComplianceHR MasterClass: Auditing for PAID**

April 25, 2018

**Understanding the DOL's Upcoming PAID Program - What it Means and How to Self-Audit for Compliance**

April 3, 2018

**Understanding the DOL's Coming PAID Program — What it Means and How to Self-Audit for Compliance Success**

March 21, 2018

**Working on Overtime: A Wage and Hour Update**

SHRM Employment Law and Legislative Conference, Washington, D.C.

March 12, 2018

**Artificial Intelligence - Taking the "Human" Out of Human Resources?**

January 17, 2018

**Working on Overtime: What to Expect in 2018**

December 14, 2017

**Artificial Intelligence—Legal Implications of Taking the “Human” Out of Human Resources**

2017 Staffing World, Chicago, IL  
October 25, 2017

**Courthouse Steps: DOL Overtime Rule**

Federalist Society Teleforum  
September 5, 2017

**Top 10 Wage & Hour Mistakes**

SHRM Annual Conference & Expo, New Orleans, LA  
June 18, 2017

**2017 Mid-Atlantic Employer Conference**

Washington, DC  
June 6, 2017

**The Department of Labor: A Look Ahead**

May 11, 2017

**The Future of Independent Contracting in the Trump Era**

April 25, 2017

**Countdown to the New DOL Regulations**

September 30, 2016

**Second Annual Puerto Rico Conference**

Condado Vanderbilt San Juan, Puerto Rico  
August 18, 2016

**2016 Mid-Atlantic Employer Conference**

Washington, DC  
June 7, 2016

**DOL Issues Final Overtime Rule - May 26**

May 26, 2016

**DOL Issues Final Overtime Rule - May 23**

May 23, 2016

**DOL Issues Final Overtime Rule - May 20**

May 20, 2016

**DOL Issues Final Overtime Rule - May 19**

May 19, 2016

**Preparing for Change: Revisions to the FLSA Overtime Regulations**

The 2016 Executive Employer® Conference, Scottsdale, AZ

May 5, 2016

**The Independent Worker Proposal: Finding a Middle Ground Between Employee and Independent Contractor**

May 4, 2016

**Countdown to Overtime: Are You Ready?**

April 14, 2016

**DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?**

Anchorage, AK

February 17, 2016

**Working on Overtime: Preparing for DOL's Changes to the FLSA Overtime Regulations**

February 9, 2016

**Working on Overtime: Preparing for DOL's Changes to the FLSA Overtime Regulations**

January 27, 2016

**Ready or Not...Changes to the White Collar Regulations Expected in 2016: What Should Employers Do Now?**

Pittsburgh, PA

January 26, 2016

**Independent Contractors, Joint Employers and the Unintended Employment Relationship**

Tysons Corner, VA

December 16, 2015

**DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?**

Portland, OR

November 4, 2015

**Independent Contracting Under Attack: Navigating the Classification and Compliance Challenge**

October 30, 2015

**DOL's Proposed Changes to the White Collar Regulations: What Should Employers Do Now?**

Tysons Corner, VA

September 23, 2015

**Proposed Changes to the Overtime Regulations**

July 1, 2015

**New Year, New Focus: Our Suggested Top HR Resolutions for 2015 (including a few targeting government contractors)**

Tysons Corner, VA

December 16, 2014

**Department of Labor Revises Federal Overtime Regulations**

April 2, 2014

**The Disappearing Companionship Exemption: How is the Home Health Industry Responding to its Elimination for Home Care Workers**

November 14, 2013

**Understanding and Responding to the U.S. DOL's Investigation Initiative Targeting the Construction Industry**

February 7, 2012

**Are You Complying with the Recent FLSA Tip Credit Regulation Changes?**

July 14, 2011

**The New DOL Regulations Take Effect May 5, 2011 - Are You Ready?**

May 4, 2011

**Emerging Wage-Hour Class Action Threat Breakfast**

Columbus, OH

April 28, 2010

**ACC Annual Meeting**

Boston, MA

October 19, 2009

**Labor and Employment Law Priorities Under the New Administration**

Washington, DC

December 2, 2008

**The 2008 Pennsylvania Employer**

Philadelphia, PA

October 1, 2008

**Open House Celebration of Littler Mendelson's New Seattle Office**

Seattle, WA

September 19, 2008

**Compliance Solutions from the Boardroom to the Courtroom**

Tysons Corner, VA

April 26, 2007

**Books & Book Chapters**

- "29 C.F.R. Part 541", *U.S. Department of Labor*, 2004