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ATTORNEY GENERAL OF ARKANSAS

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Attorney General Griffin Helps Secure Ruling to Vacate Illegal Biden-Harris Overtime Pay Rule

Griffin: ‘This is yet another failed attempt by the Biden-Harris administration to rewrite laws passed by Congress’

LITTLE ROCK – Attorney General Tim Griffin today issued the following statement after the United States District Court for the Eastern District of Texas vacated, nationwide, the Biden-Harris administration’s rule regulating overtime pay for exempt employees:

“I am grateful for today’s ruling that vacated yet another unlawful Biden-Harris administration pre-election giveaway and am proud to have led a 14-state amicus brief supporting the State of Texas in this lawsuit. The now-defunct rule would have imposed billions in increased costs—straining the budgets of state and local governments, hurting employers, and ultimately killing jobs across the nation.

“The court correctly found that the United States Department of Labor unlawfully exceeded its authority under the Fair Labor Standards Act and that it should ‘nullify and revoke’ illegal actions by federal agencies. This is yet another failed attempt by the Biden-Harris administration to rewrite laws passed by Congress.

“I congratulate my Solicitor General’s Office in its work to secure the coalition of states on our

amicus brief and thank Senior Assistant Solicitor General Asher Steinberg for his exceptional work in writing the brief that was cited in the order.”

Federal law exempts workers with “executive, administrative, and professional” duties from receiving overtime pay. For decades, the Labor Department has used salary as one factor in deciding when that applies. The vacated rule would have required employers to provide overtime pay to salaried professional, administrative, and executive employees who were already highly paid and previously exempt from overtime requirements.

Griffin filed his amicus brief in August and was joined by the attorneys general of Alabama, Georgia, Idaho, Indiana, Iowa, Louisiana, Mississippi, Montana, Nebraska, Ohio, Oklahoma, South Carolina, and West Virginia.

To read the amicus brief, [click here](#).

To read the court order in *Texas v. United States Department of Labor*, [click here](#).

About Attorney General Tim Griffin

Tim Griffin was sworn in as the 57th Attorney General of Arkansas on January 10, 2023, having previously served as the state’s 20th Lieutenant Governor from 2015-2023. From 2011-2015, Griffin served as the 24th representative of Arkansas’s Second Congressional District, where he served on the House Committee on Ways and Means, House Armed Services Committee, House Committee on Foreign Affairs, House Committee on Ethics and House Committee on the Judiciary while also serving as a Deputy Whip for the Majority.

Griffin has served as an officer in the U.S. Army Reserve Judge Advocate General’s (JAG) Corps for more than 28 years and currently holds the rank of colonel. In 2005, Griffin was mobilized to active duty as an Army prosecutor at Fort Campbell, Kentucky, and served with the 101st Airborne Division (Air Assault) in Mosul, Iraq.

He is currently serving as the Commander of the 2d Legal Operations Detachment in New Orleans, Louisiana. His previous assignments include serving as the Commander of the 134th Legal Operations Detachment at Fort Liberty (née Bragg), North Carolina, and as a Senior Legislative Advisor to the Under Secretary of Defense for Personnel and Readiness at the Pentagon. Griffin earned a master’s degree in strategic studies as a Distinguished Honor Graduate from the U.S. Army War College, Carlisle Barracks, Pennsylvania.

Griffin also served as U.S. Attorney for the Eastern District of Arkansas, and Special Assistant to the President and Deputy Director of Political Affairs for President George W. Bush; Special Assistant to Assistant Attorney General Michael Chertoff, Criminal Division, U.S. Department of Justice; Special Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of Arkansas; Senior Investigative Counsel, Government Reform and Oversight Committee, U.S. House of Representatives; and Associate Independent Counsel, Office of Independent Counsel David M. Barrett, In re: HUD Secretary Henry Cisneros.

Griffin is a graduate of Magnolia High School, Hendrix College in Conway, and Tulane Law School in New Orleans. He attended graduate school at Oxford University. He is admitted to practice law in Arkansas (active) and Louisiana (inactive). Griffin lives in Little Rock with his wife, Elizabeth, a Camden native, and their three children.

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