

Via Electronic Submission (www.regulations.gov)

**Association of
American Medical Colleges**
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September 4, 2015

Ms. Mary Ziegler
Director of the Division of Regulations, Legislation, and Interpretation
U.S. Department of Labor
Room S-3502, 200 Constitution Avenue, NW
Washington, DC 20210

Dear Ms. Zeigler:

Thank you for the opportunity to comment on the Department of Labor's Notice of Proposed Rulemaking; Defining and Delimiting the Exemption for Executive, Administrative, Professional, Outside Sales and Computer Employees (80 Fed. Reg. 38515) (RIN 1235-AA11)

The Association of American Medical Colleges (AAMC) is a not-for-profit association representing all 144 accredited U.S. and 17 accredited Canadian medical schools; nearly 400 major teaching hospitals and health systems, including 51 Department of Veterans Affairs medical centers; and nearly 93 academic and professional societies. Through these institutions and organizations, the AAMC represents 148,000 faculty members, 83,000 medical students, and 115,000 resident physicians, and thousands of graduate students and postdoctoral scientists.

While the AAMC appreciates the protections and fairness issues that this intends to address, we are concerned that the broad application of this proposal within a research environment fails to recognize how research is conducted. The AAMC agrees with both the College and University Professional Association for Human Resources (CUPA-HR) and the National Postdoctoral Association (NPA) that if the proposed change is made effective immediately, it may have unintended consequences that would negatively affect the very individuals it seeks to protect.

Any increase in the salary threshold for exemption should be graduated and incremental. AAMC recommends an initial threshold that does not exceed the National Institutes of Health (NIH) guidelines for postdoctoral stipends, currently set at \$42,840 for new trainees in FY 2015. In addition, postdoctoral scientists should be considered salaried, FLSA-exempt "learned professionals," similar to medical residents.

The AAMC again appreciates the opportunity to work with the DOL on the proposed rule.

Sincerely,



Atul Grover, M.D., Ph.D.
Chief Public Policy Officer