

EPI ACTION

Project 2025 would strip federal overtime protections from at least 8 million workers

“The overtime provisions in Project 2025 comprise a profoundly anti-overtime agenda that will mean millions will be working more for less.”

U.S. law requires that most workers receive overtime pay when they work more than 40 hours in a week. This is a fundamental employment standard that helps ensure workers are compensated fairly when they are asked to work long hours.

Donald Trump has a proven anti-overtime record. When he was president, he stripped overtime protections from millions of workers by refusing to defend the Obama-era overtime rule from a court decision that hinged on [fundamentally flawed logic](#). He instead directed the Department of Labor to publish [an extremely weak rule](#).

Project 2025, which provides a roadmap for what Trump is likely to do if he becomes president, has multiple provisions that would strip overtime protections from workers. We conservatively estimate that just two of these proposals would strip overtime protections from 8 million workers:

- Project 2025 calls for the extremely weak Trump-era overtime threshold to be reinstated, which would mean stripping away overtime from millions who are set to receive new overtime protections under the Biden-era overtime rule ([p. 592](#)).
- Project 2025 calls on Congress to allow employers to calculate overtime over a two- or four-week period, instead of a one-week period ([p. 592](#)). Instead of workers getting overtime when they work more than 40 hours in a week, they would only get overtime if they work more than 80 hours in two weeks, or 160 hours in four weeks. This would eliminate overtime pay for millions. Consider someone who works 50 hours one week and 30 hours the following week. Currently, they would receive overtime for the 10 extra hours they worked in the first week, but they would receive no overtime under the Project 2025 proposal.

The tables below show a breakdown by demographic and by state of those who would lose overtime protections under these two provisions. The methodology for these estimates is provided below.

The other overtime provisions in Project 2025 are nearly as bad. Here are some examples:

- Project 2025 calls for the passage of the “[Working Families Flexibility Act](#),” which—despite being touted as being a boon to worker flexibility—does not provide any new benefits to workers, but instead provides employers new flexibility to avoid paying overtime ([p. 587](#)).
- Project 2025 urges Congress to amend labor law so that fundamental employment laws and regulations, like overtime, are negotiable in collective bargaining ([p. 603](#)). This turns national employment standards into bargaining chips for employers, giving them much greater power. For example, in bargaining, an employer could say they agree to a union demand around predictable scheduling only if the union agrees to not have overtime kick in until 45 or 50 hours a week.
- Project 2025 calls on Congress to deny teleworkers overtime pay unless they work 10 hours on a specific day ([p. 589](#)). For example, an overtime-eligible teleworker who works nine hours a day for five days would be stripped of five hours of overtime pay.

The bottom line is that none of these provisions provides new rights for workers, but each one provides new avenues to employers to avoid paying overtime. Taken together, these provisions in Project 2025 comprise a profoundly anti-overtime agenda that will mean millions will be working more for less.

The tables below show the minimum number of workers stripped of overtime protections under Project 2025 proposals, broken down by various demographics and by state.

By gender

Female	3,701,000
Male	4,278,000
Total	7,979,000

By race/ethnicity

Black	958,000
Hispanic	1,301,000
Asian	526,000
Other	85,000
Total workers of color	2,870,000

White non-Hispanic	5,110,000
--------------------	-----------

By age

16-24	698,000
25-34	2,292,000
35-44	1,762,000
45-54	1,625,000
55+	1,602,000

By education

High school or less	2,404,000
Some college	2,407,000
College	2,325,000
Advanced	843,000

By parental status

Father	2,091,000
Mother	1,845,000
Total custodial parent of child under 18	3,936,000
Not a custodial parent of child under 18	4,044,000

By state

Alabama	105,000
Alaska	15,000
Arizona	208,000
Arkansas	70,000
California	753,000
Colorado	157,000
Connecticut	80,000
Delaware	27,000
District of Columbia	13,000
Florida	446,000
Georgia	208,000
Hawaii	27,000
Idaho	53,000
Illinois	331,000

Indiana	205,000
Iowa	104,000
Kansas	92,000
Kentucky	103,000
Louisiana	86,000
Maine	37,000
Maryland	122,000
Massachusetts	179,000
Michigan	274,000
Minnesota	155,000
Mississippi	53,000
Missouri	203,000
Montana	29,000
Nebraska	67,000
Nevada	72,000
New Hampshire	39,000
New Jersey	197,000
New Mexico	46,000
New York	388,000
North Carolina	227,000
North Dakota	25,000
Ohio	361,000
Oklahoma	105,000
Oregon	109,000
Pennsylvania	364,000
Rhode Island	27,000
South Carolina	127,000
South Dakota	29,000
Tennessee	178,000
Texas	723,000
Utah	97,000
Vermont	17,000
Virginia	186,000
Washington	196,000
West Virginia	47,000

Wisconsin	200,000
Wyoming	15,000

Notes: Subtotals may not add up to totals due to rounding. The values in the “parental status” section are all proportionately inflated to account for the fact that information on parental status is missing for a nontrivial share of observations.

Source: EPI analysis of pooled Current Population Survey Outgoing Rotation Group microdata, 2020–2022, following the methodology used in the U.S. Department of Labor’s 2024 rule, “[Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees](#),” 29 CFR Part 541 (published April 26, 2024).

Methodology Addendum

We used [EPI extracts](#) of Census Current Population Survey Outgoing Rotation Group (ORG) data for these calculations. The 8 million workers who would have their overtime protections stripped away under the first two Project 2025 provisions mentioned above come from two groups:

- The first group is comprised of those workers who would have their protections stripped away if the Biden-era overtime rule is replaced by a Trump-era threshold. The first, small step of the Biden-era overtime rule went into effect in July, so we conservatively assume it will remain in effect and only the second, larger step would be struck down. Following the methodology that DOL uses in the economic impact analysis of the [final overtime rule](#), we find that 3.3 million workers will have overtime protections stripped away if that second step of the Biden-era overtime rule is struck down.
- The second group is comprised of those workers who would have their protections stripped away if employers are allowed to calculate overtime over a two- or four-week period, instead of a one-week period. We conservatively assume that only those who occasionally work overtime, not those who work overtime regularly, will lose overtime pay under this proposal, with the logic being that those who only occasionally work overtime are those for whom it will be easiest for employers to shift hours around over a two- or four-week period to avoid paying overtime. Using the same general approach DOL uses in the economic impact analysis of the [final overtime rule](#), we find that 4.7 million workers—including blue-collar and hourly workers—are eligible for overtime but only occasionally work overtime and will as a result be likely to have their overtime stripped away if employers are allowed to calculate overtime over a two- or four-week period. Note: we exclude workers from the first group in this calculation in order to assure that the two groups are nonoverlapping.