

Overtime Issues

MASBO Conference
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Fair Labor Standards Act (FLSA)

U.S. Federal Law enacted in 1938 to prohibit employers from taking advantage of employees. U.S. Department of Labor (<http://www.dol.gov>) oversee the FLSA.

FLSA Provisions

- Prohibit Child Labor
- Set Minimum Wage
- Require Overtime Pay
- Require Equal Pay
- Require Record Keeping

Minimum Wage

\$7.25 per hour

Overtime Pay

Hours worked in excess of 40 in a workweek of at least one and one-half times their regular rates of pay. (Example: \$10 per hour, then overtime rate is \$15 per hour over 40 hours in a workweek).

Record Keeping

Employer is responsible for record keeping of all hours worked for employee.

FLSA Not Required

- Sick Leave
- Vacation
- Holidays

Exemptions

- Salary Level
- Salary Basis
- Job Duties

Salary Level

- \$455 per week
- \$1,971.66 per month
- \$23,660 per year
- \$11.38 per hour based on 40 hours per week

Salary Basis

Fixed salary with no reduction due to quality or quantity of work performed.

Job Duties

- Executive
- Administrative
- Education Establishments & Administrative
- Professional
- Computer-Related

Dual Jobs

Employee has more than one job with different rates of pay. (Example: Bus Driver at \$12.00 per hour and Cafeteria Worker at \$9.00 per hour.)

FLSA Overtime Calculator Advisor

<http://www.dol.gov/elaws/esa/flsa/otcalc/i3.asp>

Situations (What can you do?)

- Bad Weather Days
- Holidays
- Early Release



Questions

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