PALEY ROTHMAN
ATTORNEYS AT LAW

Time is not on your side in wage and hour squabbles

The Fair Labor Standards Act (FLSA) regulates minimum wage and overtime requirements. Most states and D.C. have similar laws stating that employees are entitled to overtime unless they are specifically exempt.

In 2004, the Department of Labor streamlined its regulations, but much confusion remains.

Actions filed under the FLSA, most of which were overtime cases, increased 86 percent between 2000 and 2004. In fiscal 2005, the Department of Labor collected more than $119 million for nearly 189,000 employees, a 26 percent increase since 2002.

Federal law and most states require eligible workers to be paid time and a half for all hours worked beyond the traditional 40. The FLSA does not require overtime pay for working more than 37 hours per week, for working on Saturdays, Sundays, holidays or regular days of rest, or more than eight hours a day. Employees must work more than 40 hours in a workweek to be eligible for overtime pay. Holidays or sick leave hours are not counted toward the 40.

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