

# Wage and Hour Laws

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This fact sheet provides general information concerning the application of the FLSA.

The FLSA requires employers to:

pay at least the Federal minimum wage -- \$7.25 an hour -- to all covered non-exempt employees for all hours worked

Pay at least one and one-half times the employees' regular rates of pay for all hours worked over 40 in the workweek

Comply with the child labor standards

Comply with the recordkeeping requirements

### Overtime Regulations

Unless specifically exempted, employees covered by the Act must receive overtime pay for hours worked in excess of 40 in a workweek at a rate not less than time and one-half their regular rates of pay.

The Act does not require overtime pay for work on Saturdays, Sundays, holidays, or regular days of rest, as such.

Under certain prescribed conditions, employees of State or local government agencies may receive compensatory time off at a rate of not less than one and one-half hours for each overtime hour worked, instead of cash overtime pay. Police and fire fighters, emergency response personnel, and employees engaged in seasonal activities may accrue up to 480 hours of comp time; all others, 240 hours.

\*\*\*However, your union contract may have language that permits the paying of overtime after 35 hours or 37 ½ hours in a week or after 8 hours in a day.

Your contract also may have language that permits overtime pay or higher for Saturdays, Sundays, or Holidays.

**CHECK YOUR UNION CONTRACT LANGUAGE FIRST BEFORE REFERRING TO THE DEPARTMENT OF LABOR WAGE AND HOUR LAWS.**

## Additional Information

Overtime - Who is Exempt (doc?)

What Constitutes Compensable Time under FLSA? (doc)