

FEDERAL LABOR STANDARDS ACT

The **FLSA** establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in Federal, State, and local governments. Covered nonexempt workers are entitled to a minimum wage of not less than \$7.25 per hour effective July 24, 2009.

Determining overtime: If a non-exempt employee works more than 40 in a one week period (from Sunday to Saturday) s/he has worked overtime and (according to the chart below) is entitled to either overtime pay or comp time (1.5 times the number of overtime hours). The amount of hours worked in other parts of the pay period is irrelevant. The FLSA makes it illegal to combine weeks (i.e. “you worked 42 hours this week so just work 38 next week”).

Full time workers being hired for a part-time job: If the part-time job has essentially the same duties as the full time job it is considered **overtime work** (not another job). For example: employee is an administrative assistant in student activities (secretarial duties) and takes a part-time job in the evenings as assistant in the business office (answering the phones and giving students information); she is working overtime – not an additional job. On the other hand, if the part-time job was working as a security officer, she would have an additional job and overtime would not apply.

