

# Are You HR Savvy?



## See how much you really know about the Fair Labor Standards Act.

The Fair Labor Standards Act covers wage and hour issues such as classifying exempt and non-exempt employees, overtime regulations, the minimum wage and more, so it's important that you understand it. Test your knowledge with the questions below.

1. True or False: All non-exempt employees must be paid one and one-half times their hourly rate for hours worked over 40 per week.

**True.** Non-exempt employees must be paid overtime and not comp time, and overtime may not be averaged over a pay period longer than one week. Non-exempt employees must be paid one and one-half times their regular hourly pay rate for any hours worked over 40 in a workweek. (Some states require payment of daily overtime, so check your state's laws).

2. True or False: The Fair Labor Standards Act requires employers to pay employees a minimum wage of \$5.25 per hour.

**False.** The FLSA requires that hourly employees be paid an hourly wage of not less than \$5.15 per hour. However, since the minimum wage has not been increased since 1997, some states now require a mandatory minimum wage that is higher than the federal minimum wage. Various minimum wage exceptions apply under specific circumstances to workers with disabilities, full-time students, youth under age 20 in their first 90 days of employment, workers who receive tips and student learners.

3. True or False: The Department of Labor enforces the Fair Labor Standards Act and imparts penalties for violations of the law.

**True.** The Federal Department of Labor enforces the Fair Labor Standards Act. A branch of the FLSA, the Wage and Hour Division investigates any alleged violations to the FLSA.

4. True or False: Non-exempt associates may receive "comp time" off work rather than overtime pay for hours worked over 40 per week.

**False.** Comp time cannot be used in substitution for paying non-exempt employees time and one half overtime pay.

5. True or False: If you ask exempt employees to keep track of their hours worked, you are in essence treating them as if they are non-exempt and will be required to pay overtime.

**True.** Exempt employees should not be required to keep time records.

### Scoring

**5-** If you got a perfect score, great job! Check with your local Express office to find out how you can receive information on staying current on this and other issues.

**4 -** You're on top of your HR game! However, your local Express office can help you solve any HR challenges that you're unsure about. In this litigious world, it's nice to have someone to help you deal with the tough HR questions.

**2 to 3 -** We'd like to help solve your HR issues! Lawsuits are expensive, but we can help limit your exposure. Call Express today to discuss additional educational opportunities.

**0 to 1 -** Keeping up with everything in the HR world is tough. Express can help supplement your HR team. Check out our [HR Support Service](#), a service that connects you with HR experts ready to answer your questions and help solve your HR challenges. Contact your local office today to find out how they can help you.



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