

Are you given “comp time” instead of overtime pay?

Instead of paying for overtime earned during one week, an employer will often let that employee leave work early or come in later during a following week. This is referred to as “comp time”. As a general rule, giving “comp time” instead of overtime pay is illegal.

Is there time clock rounding?

Under some employers’ time keeping systems, they will round to the nearest quarter hour. As an example, if an employee actually clocks in at 7:54 a.m., the system will report their time as 8:00 a.m. If you punch in at 8:05, it will show you starting at 8:00 a.m. Such systems are legal only if they benefit both the employer and employee over time. In reality most favor the employer since companies rarely permit employees to punch in late.



YOUR WAGE AND OVERTIME RIGHTS

THE PERRON LAW FIRM, P.C.

*PROTECTING EMPLOYEE RIGHTS
TO FAIR PAY*

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Experts in Wage & Overtime Litigation

There are State and Federal laws that regulate employee wage and overtime pay. Many employers violate the law without consequences because employees do not know their rights or fail to exercise them.

The Perron Law Firm has successfully fought for clients who have been denied fair wage and overtime pay.

How do I know if my employer is violating the law?

Are you working off the clock?

This happens when a nonexempt employee is required by their employer to perform work that is not recorded to be paid. This often occurs when employers require employees to perform certain job tasks before or after their normal shifts, or on weekends. But the employee is not paid for this additional time. It may also involve having them work during uncompensated break times.

Are you a salaried employee but working more than 40 hours a week?

Just because an employee is paid a set salary does not automatically mean they should be denied overtime. The employee's job duties determine whether they should be getting paid overtime. It is common for companies to misclassify employees in order to avoid overtime.



Are any deductions being made from your salary?

If an employer classifies an employee as salary exempt, they cannot make any partial day deductions from their set salary. If an employee has exhausted all their sick or personal time, an employer can make full day deductions if they miss work. But, they cannot make any partial day deductions.

Are you an independent contractor?

Employers will often label a person as a "contract employee" in order to avoid overtime. In reality, if you examine the factors to determine whether a person is an "employee" under the wage and hour laws, they are often entitled to overtime pay.

Is all your compensation included in calculating overtime pay?

When calculating an employee's overtime, the employer is supposed to include all income earned. This would include all nondiscretionary bonus income and commissions. Some employers fail to include this income when calculating and paying overtime.