

## FLSA COMPLIANCE CHECKLIST

- All non-exempt employees must receive a minimum of \$14.13 per hour as dictated by NJ minimum wage law.
- All tipped employees must receive a minimum of \$5.26 cash wage plus tips that equal or exceed \$8.87 an hour.
- To be exempt from overtime pay an employee must be paid a weekly salary of \$684 and pass a white-collar duties test.
- All non-exempt employees must receive time and a half of their base salary for every hour worked after 40 hours in a work week.
- I must provide all employees with a written confirmation with all details of how their compensation will be earned and paid.
- I am aware that if an employer fails to comply with all wage and hour laws, this would constitute wage theft under NJ law. Violators, in addition to paying all backpay that is owed, may also face triple damages and attorneys fees.
- I am aware that it is the employer's duty to classify, track hours and prove that employees have been getting paid properly and legally.
- Managers and supervisors may not keep tips received by employees, including through tip pools.
- Tipped employees may not spend more than 20% of their time doing "side work." If tipped employees work for over 30 minutes in non-tipped work, they must be paid at the state's minimum wage for all such time.
- Employees under 16 cannot work more than 18 hours in a school week, and they cannot work before 7am or after 7pm on a school day, except between June 1 and Labor Day, when nighttime work may be extended until 9 p.m.
- I must keep and protect all personal information and all wage and hour records for at least six years.
- I am aware that I cannot withhold wages from an employee due to theft or damages.

The above is intended to inform but not to provide legal advice. It is recommended that you consult with an attorney if you have an unresolved wage and hour law question.