



STATE & LOCAL GOVERNMENT

# Avoid These 5 Common Labor Compliance Pitfalls

Several labor laws affect your government employee scheduling, time tracking, and absence management activities. Staying in compliance can not only help you avoid costly penalties, but it can also help you avoid lawsuits and maintain the trust of your constituents.

Don't wait until you're facing a DOL audit to ensure you understand your compliance obligations. Read on to learn about common labor compliance pitfalls and how your state or district can avoid them.

## Common Labor Compliance Pitfalls

- 1

**MISCALCULATING PUBLIC SAFETY EMPLOYEE OVERTIME**

Minimize risk by:

  - Automate time tracking to ensure accurate 24/7 overtime calculations
  - Understand the **FLSA rule for "work period" overtime** for fire protection and law enforcement employees
- 2

**CALCULATING OVERTIME THE SAME WAY FOR ALL EMPLOYEES**

Minimize risk by:

  - Classify employees correctly and manage time collection based on their classification
  - Understand **FLSA overtime calculation allowances** for public healthcare, mass transit, and seasonal employees
- 3

**NOT TRACKING ALL NON-TRADITIONAL WORKING HOURS**

Minimize risk by:

  - Track non-regular working hours that may result in step-up pay, shift differential pay, and off-duty pay
  - Pay employees for hours included in the "regular rate" as defined by the FLSA
- 4

**NOT TRACKING ALL ELIGIBLE FMLA LEAVES**

Minimize risk by:

  - Evaluate all employee leave requests for FMLA coverage
  - Understand FMLA rules for local & state government (**employee count rules do not apply to the public sector**)
- 5

**EXCEEDING COMP TIME LIMITS**

Minimize risk by:

  - Distinguish between working hours, overtime, and comp time for all employees
  - Recognize **variations in comp time limits** for public safety employees and all other government employees

## 4 Ways to Be Audit Ready



Ready to learn more about the legal requirements for hiring, scheduling, and paying your government employees?

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