

NOVAtime Technology, Inc.

presents

Wage & Hour:

Understand the Laws and Avoid Litigation

Live Webinar

Featured Panelist:

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of

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Exclusively Representing Employers

Employment Law, Advice, Litigation and Solutions

www.landeggeresq.com

Preview

Which law should you abide by?

Generally, there are significant overlaps between federal and state regulations. Employers must comply with whichever provides greater protection to the employees.

Federal law is codified in the Fair Labor Standards Act (FLSA) and regulations interpreting the law

Common claims that employers are sued for:

The best way to avoid these claims is to understand the laws. Don't be afraid to research and seek legal counsel!

- Overtime
 - Unpaid
 - Misclassification
 - Off-the-clock work
- Meal and rest periods
- Unreimbursed expenses

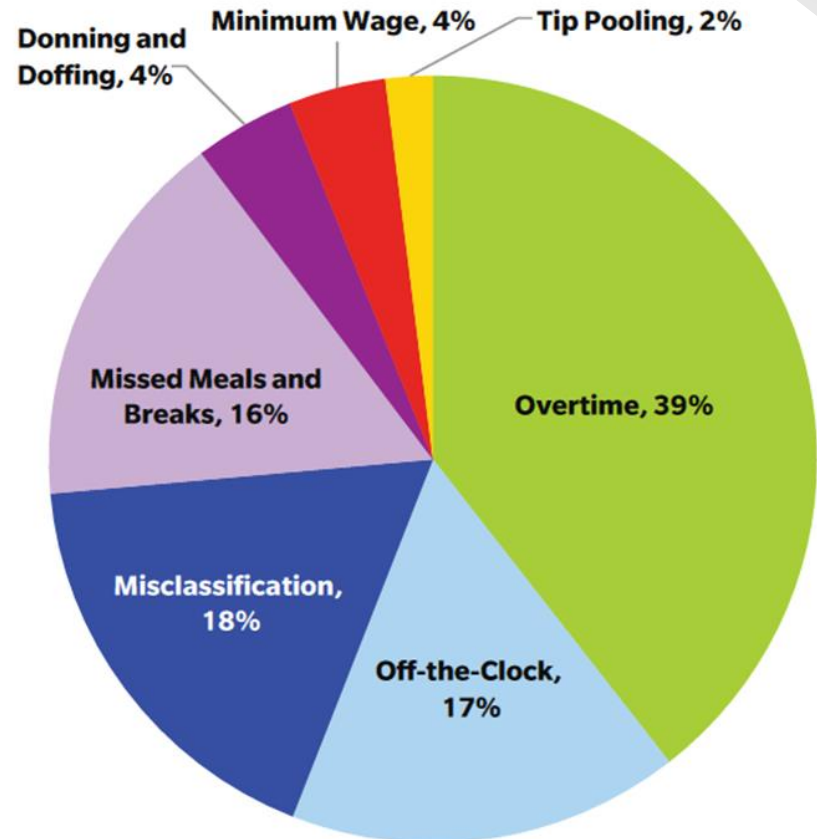
Wage & Hour

Overtime Overview

Preview

Did you know...?

From 2007 to 2012, more than 1/3 of Wage & Hour allegations were related to overtime violations.



Allegations in settled wage & hour cases (2007-2012)

Easy ways to avoid violating the law:

- Implement timekeeping procedures.
- Establish reimbursement policies.
- Consider varying evaluations, job descriptions, standards, rules, and procedures based on location or individuals.
- Review and understand state regulations/wage orders.
- Clearly communicate legal requirements to employees.
- Conduct audits to determine areas of potential exposure.
- Train supervisors and HR personnel to do regular weekly audits.
- Consult with an insurance broker to assess the need for Employment Practices Liability Insurance (EPLI).

Use timekeeping strategies to minimize off-the-clock overtime disputes:

- Record all time worked in timecards.
- Advise employees against performing work that is not accounted for in their timecards.
- Require employees to sign their timecards to acknowledge true and accurate recordkeeping.
- Record all travel time.
- Record trainings, meetings, lectures, & conferences.

Eradicate potential liability found in self-audits:

- Consider allowing legal counsel to conduct the audit in order to protect the results and the collected documents through attorney-client privilege.

Medical Marijuana

Federal vs. State Law

Preview

Laws apply within and outside of the workplace:

- **Federal:** Use of marijuana is illegal under the Federal Controlled Substance Act.
- **State:** Approximately 23 states currently allow the use of medical marijuana. Two states (Colorado and Washington) allow recreational use.

Summaries and full text of each state law can be reviewed at http://www.sapaa.com/page/wp_statelaws_glance

States are not required to enforce federal law regarding marijuana use and are not precluded from passing their own laws.

Medical Marijuana

Five Steps for Employers

Preview

1. Understand the laws that are specific to your state.
2. Adopt a pre-duty prescription medication and impairing effects substance safety policy.
3. Update employee job descriptions.
4. Adopt an ADA-compliant policy on reasonable accommodation.
5. Clearly communicate policies to employees.