



DAS HR Consulting

Your Human Resources Department



When It Comes To HR What You Don't Know **CAN** Hurt You

Wage and Hour Regulations Audit Checklist

The following list of questions provides a “brief” audit checklist to use in determining whether you are complying with the wage and hour laws and regulations. You should know the answer to every one of these questions. Although a “No” answer does not necessarily mean you are in violation of any laws or regulations, you should understand why the answer is “No.” The Department of Labor (DOL) will require documentation for each question.

Yes	No	
—	—	Does your company post the required federal and, if applicable, state minimum wage poster(s) in a conspicuous place (employee bulletin board, break room, etc.)?
—	—	If an employee asks, are they able to receive a check instead of direct deposit?
—	—	Do you examine the duties of your salaried employees and not just their titles or how they are paid in determining whether they are exempt? What kind of docking or deductions from exempt employees’ salary do you do? Are you sure it falls within a permissible exception?
—	—	Do you round off time to no more than the nearest five minutes or a tenth of an hour when calculating work time?
—	—	Do you prohibit working “off the clock,” before/after clocking in/out or during lunch for non-exempt employees?
—	—	Are non-exempt employees compensated for “on call” and certain travel time? When does the “workday” begin?
—	—	Do you pay all non-exempt employees at least the federal required \$7.25 per hour and \$10.86 for overtime work (or, the applicable state minimum wage)? Are you including all appropriate amounts received by the employee into the regular rate for purposes of determining the overtime rate? What about bonuses?
—	—	Do you have a certificate from the Department of Labor for any students, apprentices or learners, or disabled employees paid less than minimum wage?
—	—	Do you pay overtime for non-exempt employees when they work in excess of 40 hours in a workweek?



DAS HR Consulting

Your Human Resources Department



When It Comes To HR What You Don't Know **CAN** Hurt You

—	—	Do you compensate employees for required attendance at training sessions or work-related events?
—	—	Do you employ minors, and if so, do they work only those hours permitted by law?
—	—	Do your male and female employees performing the same work receive the same rate of pay?
—	—	Do you verify that your leased or temporary employees are paid in compliance with the wage and hour laws?
—	—	Do you take measures to ensure non-exempt telecommuting or field employees are properly recording their hours worked?
—	—	Are your payroll records properly maintained, legible, current, and easily accessible?
—	—	Do you know how quickly you must give final pay to employees who are discharged or who quit?
—	—	Do your non-exempt employees use email, blackberry or have access to your network after hours? How are you capturing work time? Do you have a space (or can you create a temporary space) that is private and shielded from view for employees to express breast milk?

This list is designed for use by U.S. employers to aid in the identification of potential violations. Employers are also required to comply with local and state as well as the federal wage and hour employment laws.

Reference: Kirila, J. (8/24/2012). Can You Spot Your Wage & Hour Problems?
<http://www.employmentlawworldview.com/965/> DOL.gov