

Working From Home Post-COVID: What Employers Need to Know

Wage and Hour Issues

Employers must become familiar with and comply with the wage laws of the states their employees reside in if it is determined that, due to working from home, those state laws apply. Such laws address things such as the applicable minimum wage for non-exempt employees, overtime, meal and rest breaks, frequency of paying wages, direct deposit rights, when final pay must be given to an employee whose employment terminates and what deductions an employer may make from wages for such things as uniforms.

Employers also need to think through how the time non-exempt employees are working will be tracked to assure that overtime policies are adhered to and that overtime pay is accurately calculated and timely paid. It is easier to track and prevent unauthorized overtime when all employees are working at a common location and are observed by management than when working remotely when work might be performed at other than what the Employer thinks of as “normal” work hours.

If you have any questions, or would like additional information, please contact Bob Small, Partner in Reger Rizzo & Darnall’s Employment Practices Group, at 215.495.6541, or via email at rsmall@regerlaw.com.

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