

## Can Exempt Workers Be Required to Clock In and Out?

News

8.10.16

In the article, “Can Exempt Workers Be Required to Clock In and Out?” featured in *AZ Central*, Partner Pavneet Uppal answered whether or not it’s legal to require exempted, salaried employees to clock in and out of work.

Pavneet said non-exempt employees must be paid overtime for all hours worked in excess of 40 hours in a single workweek. Certain types of employees are exempt from overtime pay requirements. The salary paid to exempt employees is intended to cover all hours worked and there is no federal or Arizona law limiting the hours that an employer may require adult exempt employees to work.

Although it is somewhat unusual, some employers require exempt employees to clock in and out in order to track efficiency, productivity or to bill clients. On the other hand, if your employer is taking a deduction from your weekly salary for the time that you are clocked out for lunch, you may be misclassified, meaning that you do not legally qualify as an exempt employee.

In that event, your employer would be required to pay you if you work through your lunch break and you would also be entitled to overtime pay when you work more than 40 hours in a single workweek.

To read the full article, please visit [\*AZ Central\*](#).

---

Please reach out to our [Media team](#) for any news inquiries.

### ***Related People***





**Pavneet Singh Uppal**  
Regional Managing Partner  
602.281.3400  
Email