

## DON'T GET CLOCKED BY TIMESHEET CONFLICTS

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Employees who keep private records of time worked are nothing new. What is new is that the DOL has launched its new "DOL Timesheet App" and a similar paper version called the "Work Hours Calendar," which encourages employees to maintain their own time records. While the DOL has been careful to say that it neither encourages nor discourages legal action, it's taking measures that could alter the balance in favor of litigation.

Most companies that employ hourly workers have timekeeping mechanisms in place and generally are informed on the FLSA regulations that govern what time is considered compensable "work" and what time isn't. If an employee keeps his own timesheet and a difference arises between his records and that of the employer, incongruities can create disagreement.

Managers should have written policies that instruct employees to advise management immediately if their records disagree with the employer, so that discrepancies can be reviewed before ever reaching the point of litigation. After the inconsistencies have been addressed, the company should secure the employee's written acknowledgement that the issue was discussed and resolved.

Wage and hour actions against businesses likely will be an increasing concern for the foreseeable future. In addition to the recommendations above, employers should audit their hours-worked practices and periodically review their exemption classifications to err on the side of self-protection.

### Related People



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