Not Paying Employees On Time? It's Considered An FLSA Violation

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John Thompson's article "Not Paying Employees On Time? It's Considered an FLSA Violation" featured on *TLNT* explains how important it is for employers to pay their employees timely wages and they should not assume that "close enough is good enough."

Martin v. U.S. arose from the federal government's "shutdown" from Oct. 1 through Oct. 16, 2013. Employees who worked during this time were not paid on their normal paydays for their work after Oct. 1.

The U.S. Court of Federal Claims *Martin v. U.S.* decision underscores important propositions to the effect that:

- Failing to pay non-exempt employees the FLSA-required minimum wage or overtime compensation by the next regular payday for the workweek (or by the next regular payday for the longer pay-period in which the workweek ends) after they can be determined violates the FLSA, and
- Such violations give rise to claims under the FLSA for "liquidated damages," even if the employee is later paid the underlying required wages.