

# 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.

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