



## Late Wage Payments Can Violate the FLSA

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John Thompson's article "Late Wage Payments Can Violate the FLSA" was featured on *HR.BLR.com* on September 15, 2014. The article examines the FLSA-required payday and the consequences of failing to pay employees by this date.

Consider this scenario: "Startup Incorporated" faces a cash flow crisis. Even so, it continues to pay its nonexempt employees straight time wages every two weeks.

But to accommodate its suppliers' cash-in-advance demands, "Startup" has delayed paying employees' overtime compensation until the end of the following calendar month, instead of paying it on the regular biweekly payday as in the past. The workers eventually receive everything they are due under the federal Fair Labor Standards Act's (FLSA) overtime requirements. "No harm, no foul," right

No, that is *not* correct. Pushing the payment of overtime wages beyond these employees' regular payday probably will be found to be an FLSA violation.

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