



Employers Must Make Timely Payment of FLSA Wages

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John Thompson's article "Employers Must Make Timely Payment of FLSA Wages" was featured in *SHRM Atlanta* on September 24, 2014.

Employers recently received a reminder that they must make timely payments of the minimum wages and overtime compensation required by the federal Fair Labor Standards Act. Failing to pay those amounts on the employee's next normal payday after the sums can be computed risks violating the FLSA.

Martin v. U.S., 1:13-cv-00834-PEC (Fed. Cl. July 13, 2014), arose out of the federal budgeting impasse that shut down portions of the U.S. government from Oct. 1 through 16, 2013. The claimants included non-exempt employees who worked during this time but who were not paid on their regular paydays for the work they performed after Oct. 1. Instead, they were paid approximately two weeks after those paydays had passed, following Congress's appropriation of the necessary funds.

These workers apparently conceded that they eventually received the FLSA-required wages due. They claimed that the U.S. government's not having paid these sums on time violated the FLSA and entitled them to an additional amount, equal to the late-paid FLSA wages, as FLSA "liquidated damages."

To read the full article, please visit *SHRM Atlanta*.