

Employment Law Wage and Hours Issues

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Summary

Payment of proper wages is fundamental to the relationship between employee and employer, yet, unfortunately, many Washington employers fail either knowingly or unknowingly to follow the law in payment of the employees. For employers, this can result in costly litigation and administrative investigation. For employees, the failure of employers to follow the law results in underpayment of wages the employee is entitled to and, therefore, violation of employees' rights under state and federal law. As the law can be confusing, it is important to contact a lawyer if you are an employee and believe you have not been paid properly or if you are an employer who has questions about payments to employees.

Common Questions

Some common issues that arise include, but are not limited to:

Overtime laws: Hourly workers who work more than 40 hours in a 7-day work week must be paid overtime. When an employee works overtime, the employer must pay at least one and one-half times the employee's regular hourly rate.

Minimum wage laws: The Minimum Wage in Washington is \$8.55 per hour. Employers are required to pay hourly employees, with limited exceptions, the Minimum Wage for each hour worked. Hours worked must be recorded and includes opening/closing the business, required meetings and trainings. It is illegal for an employer to ask an employee to agree to payment of wages less than minimum wage.

Meal and rest laws: Employees are allowed paid rest breaks of ten minutes for each four hours worked. Employees working more than five hours shall be permitted a thirty minute meal period. The meal period is unpaid unless the employee is required to remain on the premises and/or on duty.

Working off-the-clock or mandatory unpaid overtime: Employees are entitled to be paid for all hours worked in a given workday. This includes time worked before or after the mandated time for clocking in or out.

Damages

Employers who violate the law are subject to repayment of wages and other statutory penalties, including payment of attorneys' fees. Therefore, even small violations can lead to relatively large damage awards.