



MODULE OVERVIEWS

“LET’S GET BACK TO WORK.”

This interactive introduction uses video and real-life cases to illustrate the importance of understanding the Fair Labor Standards Act (FLSA). Participants learn the differences between exempt and non-exempt, examine the most common FLSA classifications, and apply their knowledge in a text-based exercise. Participants also learn a set of guidelines that help ensure compliance with organizational policy and the law.

Learning Points:

- The FLSA sets minimum wage, overtime, and record keeping standards.
- Non-exempt employees must be compensated for all hours worked, including overtime.
- Exempt employees are not required to be compensated for overtime hours worked.

“HOW WAS THE TRIP?”

In this module, participants learn the definitions of time worked, overtime, travel away from home, and pre- and postliminary activities. They then apply this knowledge through several text-based exercises.

Learning Points:

- The FLSA requires employees to be paid for all work they perform for their employers.
- The FLSA requires that non-exempt employees be paid at time and one-half for all hours worked in a workweek in excess of 40 hours.
- Some pre- and post-activities are compensable if they are “integral and indispensable” to the employee’s principal activity.

“I’M GLAD I COULD HELP.”

In this text- and video-based module, participants learn the definitions of off-the-clock work, waiting time, on-call time, meal breaks and periods, compensatory time, and independent contractors.

Learning Points:

- The FLSA requires compensation for all work an employee performs, whether the employer asks the employee to perform it or the employee performs it voluntarily.
- Whether waiting time is compensable depends on whether the employee is engaged to wait or is waiting to be engaged.
- Whether on-call time is compensable depends on the degree to which the employee is free to engage in personal activities.
- Bona fide meal periods of 30 minutes or more are generally treated under the FLSA as non-compensable time.
- Private employers cannot use comp time to compensate non-exempt employees for overtime.



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LET THE JURY DECIDE

In this jury exercise, participants apply all that they have learned about the FLSA to a simulated case. They must examine job descriptions to determine classifications, review organizational policy and other evidence, and apply FLSA damages to determine an award.

Learning Points:

- Employers who violate the FLSA are liable for unpaid wages and liquidated damages.
- Unpaid wages are awarded for a two- or three-year period depending upon whether the FLSA violation was willful.
- Liquidated damages are compensatory in nature and typically are awarded in an amount equal to unpaid wages.

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2675 Paces Ferry Road, Suite 470 • Atlanta, Georgia 30339
Tel: 800.497.7654 • Fax: 770.319.7905