

# Are Your Company's Employees Truly Exempt from Overtime Requirements

By: Beth Lincow Cole

<http://www.humanresourceattorney.com>

If an employee is non-exempt, that employee must be compensated for overtime. An exempt employee, on the other hand, is not entitled to compensation for overtime.

How do you know whether to classify an employee as exempt or non-exempt? Many companies assume because employees are paid a salary, they are properly exempt. This is inaccurate. It can be tricky, but, in short, there are four basic types of exemptions: executive, administrative, professional and outside sales. Each type has its own criteria that must be met to satisfy exemption criteria. Only if met, employees do not need to be paid overtime. If you are unsure whether your employees are classified correctly, seek guidance to discuss the particular job and employee at issue. Remember simply paying an employee a salary versus paying the employee hourly, and giving an employee a particular title, does not make that employee exempt.

Is your company prepared to avoid costly wage and hour mistakes? Prudent companies should look at their worker classifications before a government agency comes looking. The Law Office of Beth Lincow Cole is ready to assist any company looking to avoid costly wage and hour mistakes. Remember, an ounce of prevention is worth a pound of cure.

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**Jump start your action items in 2011. Many companies want to put I place an employee handbook but have not done so yet for monetary reasons. PA and NJ companies-- When was the last time your employee handbook was reviewed? Outdated policies can be as dangerous as having no policies at all. Call for a handbook tune-up and receive a special discounted flat rate available to our followers. Can your company really afford to wait?**

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### About Beth Lincow Cole

Employment Law Attorney Beth Lincow Cole has skillfully helped business owners and managers head off the unwanted and unnecessary lawsuits that can arise in the workplace. Drawing on her successful legal experiences both in and outside the courtroom, Beth Lincow Cole understands how to protect employers. By developing solid pre- and post-employment procedures for her clients, she assures that they are legally protected.

Beth Lincow Cole has worked for large regional and national law firms, focusing solely on employment issues, on behalf of management within a wide range of industries. Whether you are a start up company with basic questions about personnel files or a larger company with questions about an employee's Family Medical Leave, Beth Lincow Cole can help. Drawing on her experiences, she counsel's companies in the following practice areas:

- Defense in administrative agency matters such as before the DOL, EEOC, PHRC or NJDCR
- Department of Labor Audits
- Discrimination
- Downsizing/Reduction in Force
- Drug Testing
- Employment Contracts and Severance Agreements
- Employment Law Compliance
- FMLA and other family leave laws
- Independent Contractors/Contingent Workforce

Please contact the firm to find out how the Law Office of Beth Lincow Cole can protect your company.