# Records To Be Kept by Employers



The FLSA sets minimum wage, overtime pay, recordkeeping, and youth employment standards for employment subject to its provisions. Unless exempt, covered employees must be paid at least the minimum wage and not less than one and one-half times their regular rates of pay for overtime hours worked.

**POSTING:**

Employers must display an official poster outlining the provisions of the Act, available at no cost from local offices of the Wage and Hour Division and toll-free, by calling 1-866-4USWage (1-866-487-

9243). This poster is also available electronically for downloading and printing at http://www.dol.gov/osbp/sbrefa/poster/main.htm

**WHAT RECORDS ARE REQUIRED:**

Every covered employer must keep certain records for each non-exempt worker. The Act requires no particular form for the records, but does require that the records include certain identifying information about the employee and data about the hours worked and the wages earned. The law requires this information to be accurate. The following is a listing of the basic records that an employer must maintain:

1. Employee’s full name and social security number.
2. Address, including zip code.
3. Birth date, if younger than 19.
4. Sex and occupation.
5. Time and day of week when employee’s workweek begins.
6. Hours worked each day.
7. Total hours worked each workweek.
8. Basis on which employee’s wages are paid (e.g., “$9 per hour”, “$440 a week”, “piecework”)
9. Regular hourly pay rate.
10. Total daily or weekly straight-time earnings.
11. Total overtime earnings for the workweek.
12. All additions to or deductions from the employee’s wages.
13. Total wages paid each pay period.
14. Date of payment and the pay period covered by the payment.

**HOW LONG SHOULD RECORDS BE RETAINED:**

Each employer shall preserve for at least three years payroll records,

collective bargaining agreements, sales and purchase records. Records on which wage computations are based should be retained for two years, i.e., time cards and piece work tickets, wage rate tables, work and time schedules, and records of additions to or deductions from wages. These records must be open for inspection by the Division’s representatives, who may ask the employer to make extensions, computations, or transcriptions. The records may be kept at the place of employment or in a central records office.

## WHAT ABOUT TIMEKEEPING:

Employers may use any timekeeping method they choose. For example, they may use a time clock, have a timekeeper keep track of employee’s work hours, or tell their workers to write their own times on the records. Any timekeeping plan is acceptable as long as it is complete and accurate.

| Day | Date | In | Out | Total |
|---|---|---|---|---|
| **Sunday** | **6/3/13** | **–** | **–** | |
| **Monday** | **6/4/13** | **8:00 am. 1:00 pm** | **12:00 pm 5:03 pm** | **8** |
| **Tuesday** | **6/5/13** | **8:00 am 1:00 pm** | **12:00 pm 5:02 pm** | **8** |
| **Wednesday** | **6/6/13** | **8:01 am 1:02 pm** | **12:00 pm 5:00 pm** | **8** |
| **Thursday** | **6/7/13** | **–** | **–** | |
| **Friday** | **6/8/13** | **–** | **–** | |
| **Saturday** | **6/9/13** | **–** | **–** | |
| | | | | |
| | | | | |

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|---|---|---|---|---|
| **Total Hours** | | | | **24** |

## EMPLOYEES ON FIXED SCHEDULES:

Many employees work on a fixed schedule from which they seldom vary. The employer may keep a record showing the exact schedule of daily and weekly hours and merely indicate that the worker did follow the schedule. When a worker is on a job for a longer or shorter period of time than the schedule shows, the employer must record the number of hours the worker actually worked, on an exception basis.