

# WILENTZ

—ATTORNEYS AT LAW—

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## Did You Know? New Jersey Employers Must Pay for Unauthorized Overtime

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That under the Fair Labor Standards Act, employers are responsible for paying overtime when they know or should know that an employee is working after hours, even if the employee does not say so or file an overtime claim. For example, when you receive a late night email from a non-exempt employee. An employer must be cognizant of the after-hours demands of emails and cell phones on its non-exempt employees as they can give rise to possible overtime claims.

### **Attorney**

- Tracy Armstrong