

FLSA-263

August 8, 1973

This is in reply to your letter of July 27, 1973, asking whether it would be legal for your firm to require its employees to correct mistakes in their work on their own time.

The Federal law of most general application concerning wages and hours of work is the Fair Labor Standards Act. This law requires that every employee who is within its coverage and not specifically exempt must be paid not less than the statutory minimum wage for every hour worked and overtime compensation at a rate of not less than one and one-half times his regular rate of pay for all hours worked in excess of 40 in a workweek. The major provisions of the Act are summarized in the enclosed Handy Reference Guide.

The subject of what constitutes compensable working time under the Act is discussed in the pamphlet, *** . As noted therein on page 1 under "The Basic Rule", an employee must be paid for all the time that he is required to be on duty or at an employer's premises or at a prescribed work place, and all time during which he is suffered or permitted to work for the employer. As further noted, the correction of errors is work time even where the employee voluntarily performs such work. Thus, when an employee must correct mistakes in his work, such time must be included in the hours of work for which he must be paid in accordance with the Act's provisions.

If you have any further questions, you may find it convenient to contact our area office at Ohio and Pennsylvania Streets, Room 409 Federal Building, Indianapolis, Indiana 46204 (telephone: 317-633-8424). The people in that office would be pleased to assist you.

Sincerely,

Joseph P. McAuliffe, Chief
Division of Minimum Wage
and Hour Standards
Wage and Hour Division

Enclosures