

DOL announces: We have an app for that!

Employees can Track Hours Worked and Calculate Overtime

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On May 9, 2011, the US Department of Labor launched a smartphone "app" to help employees track hours worked and break times, and to calculate regular wages and overtime. Data collected may be viewed in daily, weekly, and monthly formats, and can be sent with wage data as an attachment to an email. Of course, the app includes DOL contact information and information about wage and hour laws.

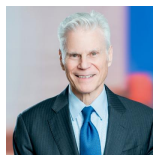
According to the DOL press release that heralded the app's release:

This new technology is significant because, instead of relying on their employers' records, workers now can keep their own records. This information could prove invaluable during a Wage and Hour Division investigation when an employer has failed to maintain accurate employment records.

Currently available in English and Spanish, the app is compatible only with iPhones and the iPod touch. The DOL plans to release apps compatible with other smartphone platforms, such as Android and Blackberry. Future releases will contain other capabilities, for tracking of tips, commissions, bonuses, deductions, holiday pay, pay for weekends, shift differentials and pay for regular days of rest.

It will be interesting to watch the battles to be waged over discrepancies between employers' time records and employees' smartphone data.

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David Barmak is an experienced trial lawyer at Mintz who focuses his practice on employment law and HR issues. He litigates cases in federal and state courts and arbitrations across the country. David counsels clients on compliance and employee relations issues and risk reduction options.