



U.S. Department of Labor

in the 21st Century



[www.dol.gov/elaws](http://www.dol.gov/elaws)

[Search / A-Z Index](#)

[By Topic](#) | [By Audience](#) | [By Top 20 Requested Items](#) | [By Form](#) | [By Organization](#) | [By Location](#)

November 11, 2004 [DOL Home](#) > [elaws Advisors](#) > [Fair Labor Standards Act Advisor](#)

**elaws** - Fair Labor Standards Act Advisor

## What does the Fair Labor Standards Act require?

The Fair Labor Standards Act's (FLSA) basic requirements are:

- Payment of the [minimum wage](#);
- [Overtime pay](#) for time worked over 40 hours in a workweek;
- Restrictions on the employment of children; and
- [Recordkeeping](#).

The FLSA has been amended on many occasions since 1938. Currently, workers covered by the FLSA are entitled to the minimum wage of \$5.15 per hour and overtime pay at a rate of not less than one and one-half times their regular rate of pay after 40 hours of work in a workweek. Various minimum wage exceptions apply under specific circumstances to [disabled workers](#), [full-time students](#), [youth under age 20](#) in their first 90 days of employment, [tipped employees](#) and [student-learners](#). Special rules apply to [state and local government employment](#) involving fire protection and law enforcement activities, volunteer services, and compensatory time off (instead of cash overtime pay). Employers are required to keep records on wages, hours, and other items which are generally maintained as an ordinary business practice.

The FLSA [child labor provisions](#) are designed to protect the educational opportunities of youth and prohibit their employment in jobs and under conditions detrimental to their health or safety. The child labor provisions include some restrictions on hours of work for youth under 16 years of age and lists of hazardous occupations too dangerous for young workers to perform.

Wages required by the FLSA are due on the regular payday for the pay period covered. Deductions made from wages for such items as cash or merchandise shortages, employer-required uniforms, and tools of the trade, are not legal if they reduce the wages of employees below the minimum wage or reduce the amount of overtime pay due under the FLSA.

In order for the FLSA to apply, there must be an [employment relationship](#) between an "employer" and an "employee." The FLSA also contains some [exemptions](#) from these basic rules. Some apply to specific types of businesses and others to specific kinds of work.

[Continue](#)

[▲ Back to Top](#)

[www.dol.gov/elaws](http://www.dol.gov/elaws)

[www.dol.gov](http://www.dol.gov)

[Frequently Asked Questions](#) | [Freedom of Information Act](#) | [Customer Survey](#)  
[Privacy & Security Statement](#) | [Disclaimers](#) | [E-mail to a Friend](#)

U.S. Department of Labor  
 Frances Perkins Building  
 200 Constitution Avenue, NW  
 Washington, DC 20210

1-866-4-USA-DOL  
 TTY: 1-877-889-5627  
[Contact Us](#)