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OVERTIME UPDATES

With the fast-approaching implementation of the Department of Labor's new overtime regulation, we wanted to take a look at overtime facts over the years -- who is working the most overtime, who is violating overtime compliance the most, and what people think of the new overtime regulation.

DISCLAIMER: The information presented in this document highlights several examples of federal and/or state labor law requirements. Replicon makes no guarantee as to the completeness or accuracy of these summarized requirements. This document is in no way suggestive or offers any labor law guidance, or legal advice of any kind, and should not be construed as such. If you need legal advice in relation to labor law compliance issues, please consult with your qualified legal advisor.
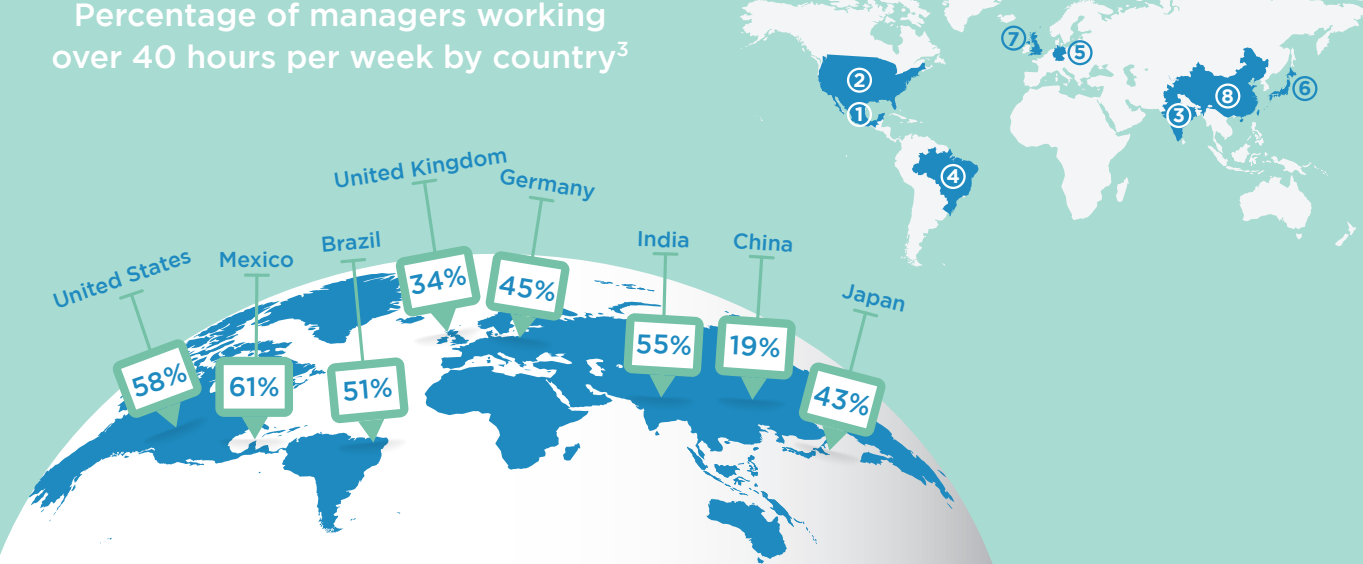
67% of Americans that agree with the idea of increasing overtime eligibility[1]

Who's working the most overtime?

Percentage of men vs women working over 40 hrs per week in the US[2]

85.5% **66.5%**
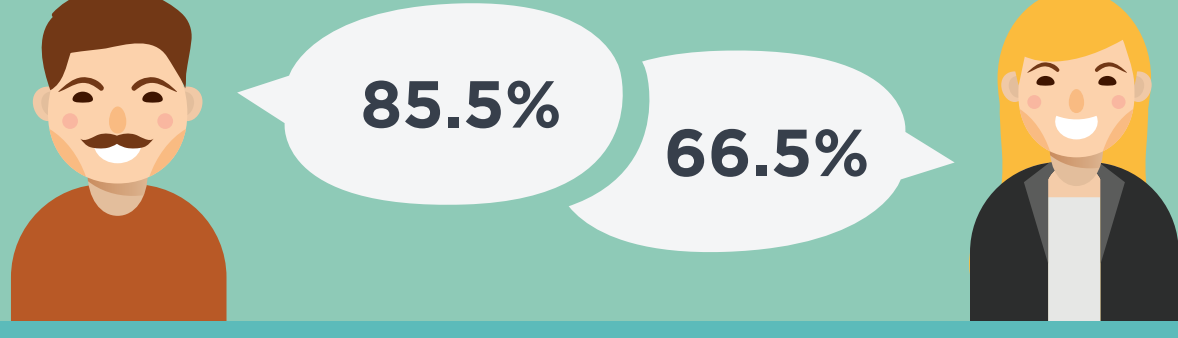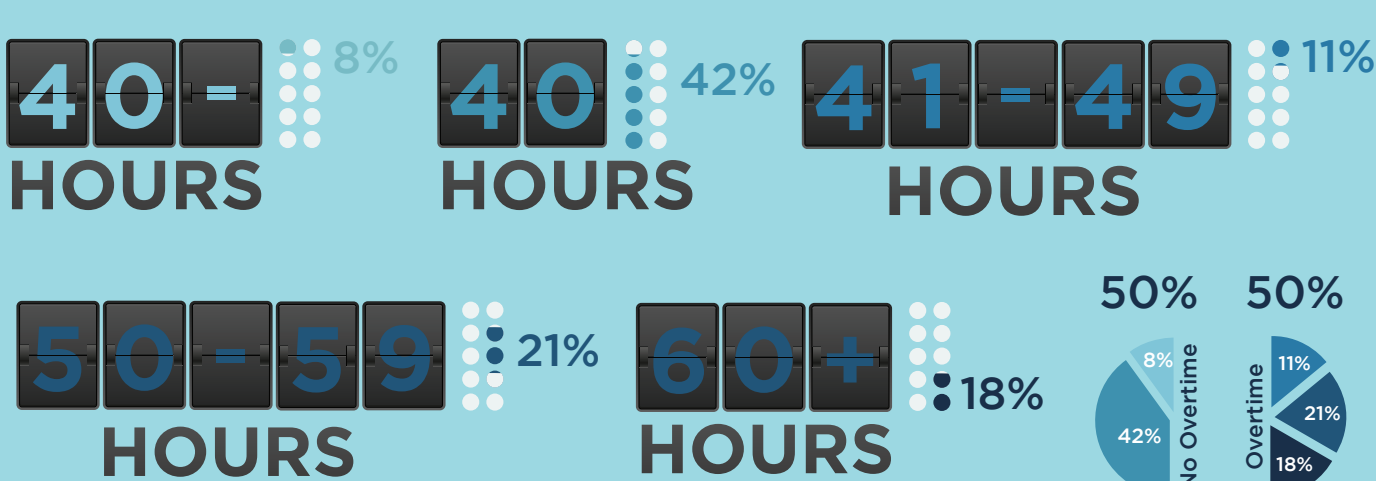
Which countries work the most overtime?

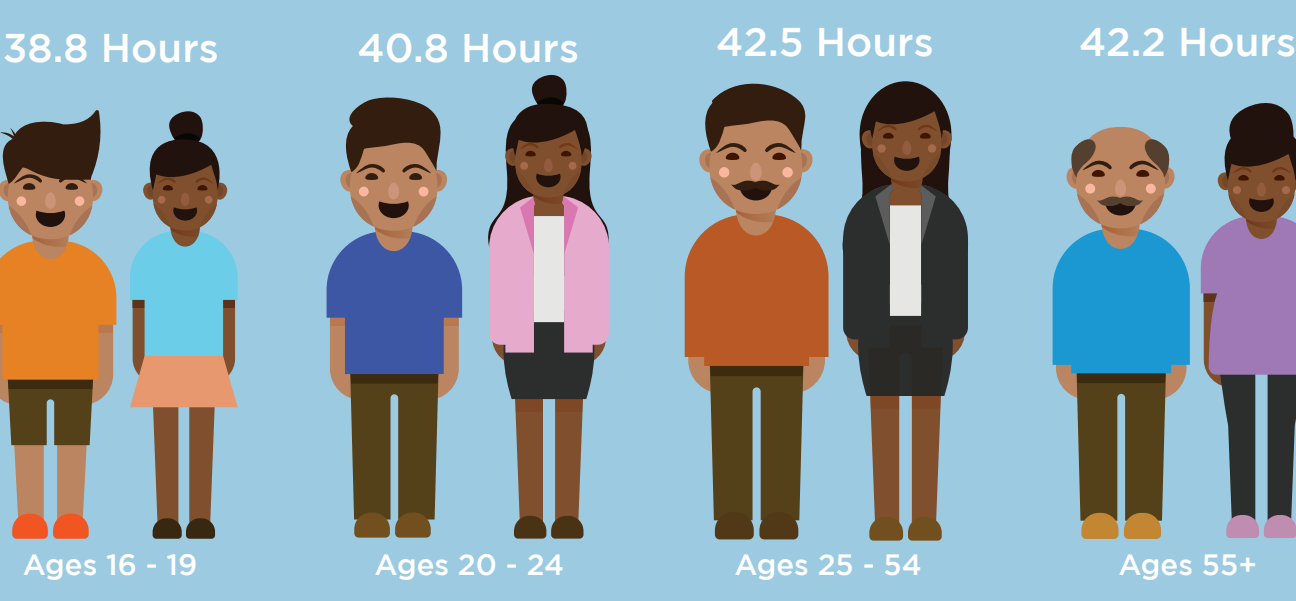Percentage of managers working over 40 hours per week by country[3]

United States **58%** Mexico **61%** Brazil **51%** United Kingdom **34%** Germany **45%** India **55%** China **19%** Japan **43%**

How much overtime does the US work?

Average hours worked by full-time US workers aged 18+[4]

40 HOURS = 8%

40 HOURS 42%

41-49 HOURS 11%

50-59 HOURS 21%

60+ HOURS 18%

No Overtime: 8% 42% (50%)
Overtime: 11% 21% 18% (50%)

What age is working the most overtime?

Average hours worked by age group[5]

38.8 Hours Ages 16 - 19
40.8 Hours Ages 20 - 24
42.5 Hours Ages 25 - 54
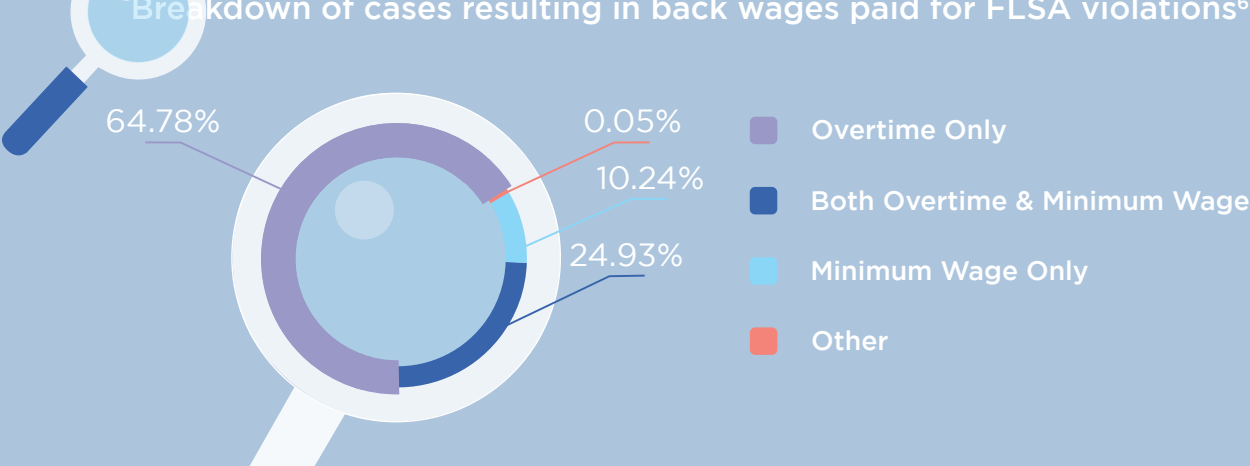**42.2 Hours** Ages 55+

How far spread are overtime violations?

90% / 10%

Cases Resulting In Back Wages
■ Includes overtime violations
■ Does not include overtime violations
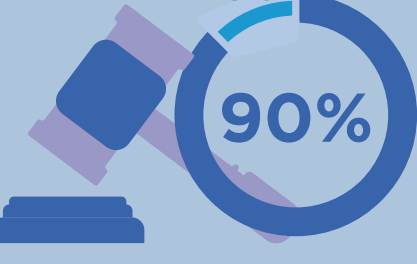
Breakdown of cases resulting in back wages paid for FLSA violations[6]

64.78% 0.05% 10.24% 24.93%

■ Overtime Only
■ Both Overtime & Minimum Wage
■ Minimum Wage Only
■ Other

Number of overtime cases and dollar value

Although the number of overtime case violations has decreased over the past 3 years, the dollar amount for back wages has increased[7]

2013
Number of Cases
12,108
Back Wages Paid
$130,703,222

2014
Number of Cases
11,283
Back Wages Paid
$136,239,001

2015
Number of Cases
10,496
Back Wages Paid
$137,701,703

Which industries have the most overtime violations?

Most common industries for wage and hour case settlements[6]

Financial Services & Insurance
106 cases

Retail
101 cases

Food & Food Services
83 cases

Which states have the most violations?

California, Florida, New York and Texas accounted for over 1/3 of the FLSA violations found between 2007-2015[7]

1/3 CA TX NY FL
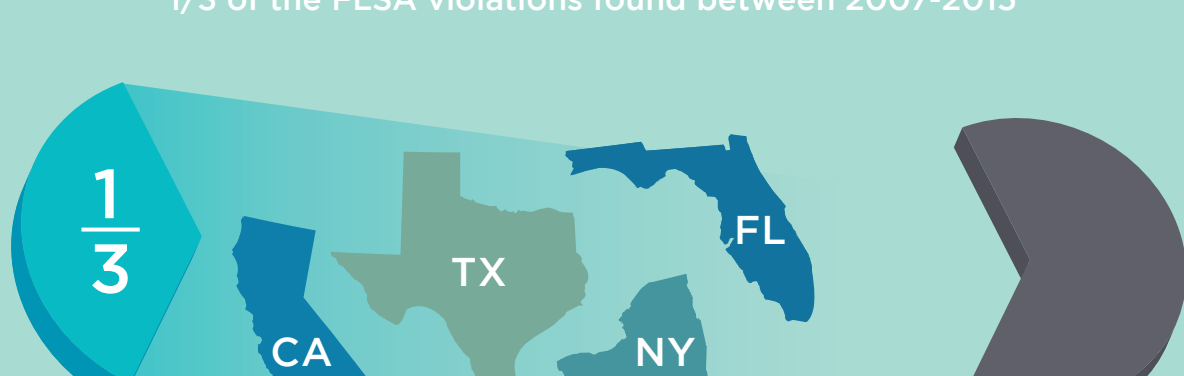
Want to learn more and avoid overtime violations?

Want to learn about the updates to overtime? See this three-part series detailing all of the latest changes, impacts, and best practices. This overtime update is effective as of January 1st, 2020.

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To learn more visit www.replicon.com for resources on how to comply with the new overtime rule and to find out how Replicon can help you prepare for the new regulation.

Replicon is the leading provider of cloud-based time tracking software. We help customers to better manage workforce attendance, expenses, projects, professional services teams, and shared services resources. Our solutions are used by more than 1.5 million people in over 5,000 organizations across 70 countries.

Whether you're a large enterprise, a small business or a project based organization, Replicon has the right-sized solution to help you control costs, improve efficiencies or maintain the accuracy you need to stay compliant.

Sources:
1. http://www.gallup.com/poll/192283/americans-favor-raise-increased-overtime-eligibility.aspx?g_source=overtime&g_medium=search&g_campaign=tiles
2. https://visualeconomics.creditloan.com/the-state-of-the-40-hour-workweek/
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4. http://www.gallup.com/poll/175286/hour-workweek-actually-longer-seven-hours.aspx?g_source=overtime&g_medium=search&g_campaign=tiles
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