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Federal Labor Laws for Salaried Employees

Hourly and salaried employees are entitled to receive payment for services rendered to their employers. While hourly employees are generally paid for their actual hours worked, salaried employees are paid a set wage each pay date. Consequently, the labor laws concerning salaried employees vary from hourly employees'.

Definition Salaried employees generally include executive, administrative and professional employees within an organization. This includes teachers, elementary and secondary school administrative personnel, outside sales staff and employees in specific computer-related positions. The employer generally determines the salaried employee's pay frequency. Typically, salaried employees are paid biweekly, semi-monthly or monthly.

Hours Worked Salaried employees must be paid not according to how many hours actually worked, but according to the actual amount agreed upon by the employee and her employer. For recording purposes, some employers may require the salaried employee to keep track of her hours. However, she is not usually required to punch a clock or complete weekly time sheets. For example, if it is agreed that she works 45 hours per week for $1,000 to be paid biweekly, she should receive this gross amount every payday.

Salaried employees must be paid not according to how many hours actually worked, but according to the actual amount agreed upon by the employee and her employer. (Creatas Images/Creatas/Getty Images)

Overtime Pay Unlike the hourly employee who qualifies for overtime pay if he works more than 40 hours per week, the salaried employee does not generally receive overtime. If the salaried employee is performing the responsibilities of a salaried employee that is exempt from overtime pay (e.g. a manager or supervisor), the employer is under no obligation to pay him overtime pay for excess hours worked.

Benefits The salaried employee is often entitled to standard company benefits such as sick and vacation days. If he calls in sick or takes vacation days, he is paid for the full day, provided he has the hours available. If he calls in sick or takes personal days off but lacks the hours, the employer does not have to pay him for these days.

Work Days If the salaried employees arrives to work late or leaves work ahead of schedule, he is still to be paid for a full day's work. However, if he performs no work in a given week, then he should not be paid for that week. If he is a new hire, he is to be paid initially for the work performed from his start date through the pay period end date. If he has been terminated, he is to be paid for work performed from the start of the pay cycle through to his termination date. Depending on when he is hired or terminated, his pay in these situations may be prorated.

California Labor Laws for Salaried Employees

Business executives and other positions enjoy exempt status in California which entitles them to a base salary regardless of the hours worked
California labor laws for salaried employees differ only slightly from those of workers that are paid hourly. Executives and administrators that are salaried may enjoy increased privileges in the workplace but are also watched more

Exempt Employees According to the website for the California Department of Industrial Relations, certain occupations and pay scales within the state are exempt from overtime pay. Computer software employees and licensed physicians are among the positions that have salary exempt status and enjoy special labor benefits. Exempt employees must be paid a fixed weekly salary regardless of how many hours are worked during the week. An exempt employee's salary cannot be reduced due to quantity or quality of work, though these workers can still be dismissed for poor performance. As of 2010, the minimum salary requirements in California for exempt status is $79,050.

Overtime for Salaried Employees

Non-exempt workers in California that are paid a salary must be paid overtime. Salaried workers calculate overtime pay by dividing the annual base salary by 52 in order to get the weekly pay rate. This pay rate is then divided by 40 to determine the hourly base pay rate which is then increased by one-half for the overtime period. For example, if a salaried worker's pay rate was calculated to be $20 per hour, his overtime pay rate would then be $30 an hour. Overtime hours in California begin after 40 hours worked in a standard seven day work week.

Meal Breaks

Salaried employees are still entitled to the same work breaks for meals as other employees in California. An employer must grant a worker at least a 30-minute uninterrupted meal break for every five hours scheduled to work. An employer may not schedule an employee salaried or otherwise for a period of time longer than five hours without a break factored into the work day. An employer may not schedule an employee for a work day in excess of 10 hours without scheduling a second 30-minute meal break. Exceptions to this rule apply to employees governed by a collective bargaining agreement that establishes break times for workers.