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I HIGHLY, HIGHLY RECOMMEND GIVING THEM A CALL. I WILL
RECOMMEND BARRETT AND FARAHANY TO ANY AND EVERYONE.
PLEASE GIVE THEM A CHANCE AND BE AS HAPPY AS I AM."

- S.L.

EMPLOYER ASKING YOU TO WORK OFF THE CLOCK?

Have you ever been asked to stay a few minutes late to finish a project after you've already clocked out? Or perhaps you're expected to answer emails from your phone during dinner? These requests might seem minor in isolation, but they add up — and more importantly, they are often illegal.

At Barrett & Farahany, we understand the pressure to appear dedicated and hardworking. However, dedication should not come at the cost of your fair wages. If you are a non-exempt employee, understanding your rights regarding "working off the clock" is crucial to protecting your livelihood.



Understanding "Off-the-Clock" Work

Simply put, “working off the clock” refers to any work performed by an employee for which they are not compensated. Under the Fair Labor Standards Act (FLSA), this practice is illegal for non-exempt employees (typically those paid hourly).

The law requires employers to pay for all hours an employee is “suffered or permitted to work.” This legal phrasing means that if your employer knows — or should know — that you are working, you must be paid for that time. It does not matter if the work was voluntary or explicitly requested; if it benefits the employer, it is compensable time.

Common Examples of Illegal Off-the-Clock Work

Wage theft isn’t always obvious. It often hides in the small, routine tasks that surround your official shift. If you are not being paid for the following activities, you may be a victim of unpaid overtime or wage theft:

1. **Pre-shift preparation:** Being required to set up a workstation, boot up computers, or put on safety gear before clocking in.
2. **Post-shift duties:** Cleaning up, counting a cash register drawer, or finishing paperwork after you have clocked out.
3. **Unpaid training:** Mandatory attendance at meetings or training sessions outside of your scheduled hours.
4. **Digital availability:** Answering work-related texts, phone calls, or emails during your personal time.
5. **Waiting time:** Being required to remain on the premises while waiting for work assignments or equipment...

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Our ability to offer a comprehensive array of legal services across numerous states is made possible by our strategically positioned network of attorneys. Our attorneys are situated in states across America, and proudly extend our renowned brand of resources to its respective region.

Led by seasoned and highly connected legal teams, our offices deliver invaluable legal representation tailored to the unique needs of each state they serve.

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