

# Worker Misclassification: Challenges of Determining Exempt vs. Non-Exempt Employees

## Location

Webinar

## Date & Time

Start Date: 05/24/2023

Start Time: 1:00 pm

End Time: 2:30 pm EDT

**John Ho** and **Edward Langhammer** will discuss exemption misclassification issues and identify positions most at risk for misclassification under the Fair Labor Standards Act (FLSA). Accurate employment classification continues to be the subject of extensive lawsuits. Recent cases regarding who is entitled to overtime pay fuel the litigation and claims by employees challenging their classification as exempt from overtime pay under the FLSA are increasing. Some federal suits have resulted in multi-million dollar verdicts as exemption cases are often filed as both class and collective action lawsuits. State lawsuits are also on the rise and state wage and hour laws are often more employee-friendly than the FLSA particularly in states like California where they continue to be hotly litigated. In California, non-compliance exposes companies to individual, Private Attorneys General Act (PAGA), other representative actions, and class action claims. There, wage and hour laws continue to multiply, with new laws, regulations, court decisions, and myriad changes to existing laws impacting employer compliance obligations on a quickly evolving pace. John and Ed will examine the types of positions most at risk for misclassification as exempt, explains best practices for self-audits, and suggests measures employers should take to correct classification errors and limit liability exposure.

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## ATTORNEYS



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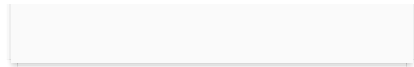
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