

EMPLOYERS SUED FOR OVERTIME PAY



It seems as though during the recession, the citizens of the United States were pushed above and beyond their limits, working much longer hours without receiving nearly as much pay as they should have earned. It is believed that many employees were stuck taking over shifts of other people because there were 9 million layoffs amongst the different businesses in the United States. Those employees that were left were grateful to still have a job but it seems employers often took advantage of them, making them perform more without receiving the right pay for the work. Many of these employees are now taking a stand and are headed to court to fight for what is right. The recession was at its peak in 2008 and ever since, there have been way more employees suing their employers based on state wage and hour laws. There has been such a large increase in the number of lawsuits that have been filed based on these claims. Employees are saying that most of the time, they were forced to work more than 40 hours a week but were often stuck working off clock and that the overtime often took over their personal lives, as they were forced to work more and had less time for their regular activities. A legal co-director for the National Employment Law Project, Catherine Ruckelshaus, said that during the recession, there was a lot of pressure put onto businesses. They had to cut costs and lay-off a lot of employees while still getting the work done at their businesses. And, in the meantime, because of advances in technology, particular smart phones, such as BlackBerrys and iPhones, many employees were often tethered to their employers, even when they were not working or were on vacation. This has become a huge controversy and it has even been sent to the Supreme Court. Many employers believe that with an increasing number of lawsuits, the Fair Labor Standards Act of 1938 is simply outdated and needs to be modified, especially in a time when employees often enjoy being able to work from the comfort of their own home, being able to answer e-mail messages while out and about, whether or on their smart phone or in the comfort of their own home. The head of human resources for IBM, Randy MacDonald, believes that the law simply has not kept up with the ever-changing pace of the workplace, which has dramatically changed within the past few decades, especially with the increase in technology capabilities. In the meantime, the recession is believed to be part of the reason that the growth of lawsuits has increased so much. The other reason is because of the settlements that took place nearly a decade ago, which has prompted many lawyers to file the same types of complaints for their clients, especially since they are easier to pursue now.

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