

Linda Horras Provides Guidance to Employers over Off-the-Clock Mobile Device Use by Nonexempt Workers

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Hinshaw's Linda Horras was recently quoted in a *Society for Human Resource Management (SHRM) Online* article titled "Tips for Managing Workers' After-Hours Use of Mobile Devices." Recognizing that working remotely is here to stay, the article offers businesses advice on how to ensure nonexempt employees do not engage in compensable work after hours using their mobile devices.

Referencing wage and hour laws, Horras noted that the Department of Labor (DOL), as well plaintiffs' attorneys, routinely pursues off-the-clock work violations. "There is the legal requirement to record all time worked and compensate accordingly for all nonexempt staff," Horras said. She recommends company policies be drawn up to explicitly mandate that reading and sending e-mails, responding to phone calls and related duties should only be performed when the nonexempt employee is at work during official office hours.

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