

**WAGE AND HOUR LAW  
HOLIDAY HIT LIST**

**2005 Top Ten List of Wage and  
Hour Violations in New  
Hampshire**

*(Or How to Avoid a New Hampshire  
Department of Labor Inspector in Your  
Company's Chimney and Fines in  
Your Stocking.)*



with

**Attorney Jim Reidy**

**Sheehan Phinney Bass + Green, P.A.**



*10. “Oompa, Lumpa, Doopity, Do, Yessiree kids, we’ve got a job for you.”*



**Youth employment issues (e.g. failure to have adequate paperwork on file, having youth work too many hours and requiring work in hazardous occupations).**

9. *“One for me, one for you . . . Look, this is a business, not a friggin’ charity.”*

Making illegal deductions  
(e.g., uniforms, lost or  
damaged property, check  
cashing, etc.).



8. *“And here’s your work area. Watch your head. Say hello to Tim, Carlos, Sally and Chris.”*



**Allowing or requiring employees to work under the table.**

**7. *“Are you my Mother?”***



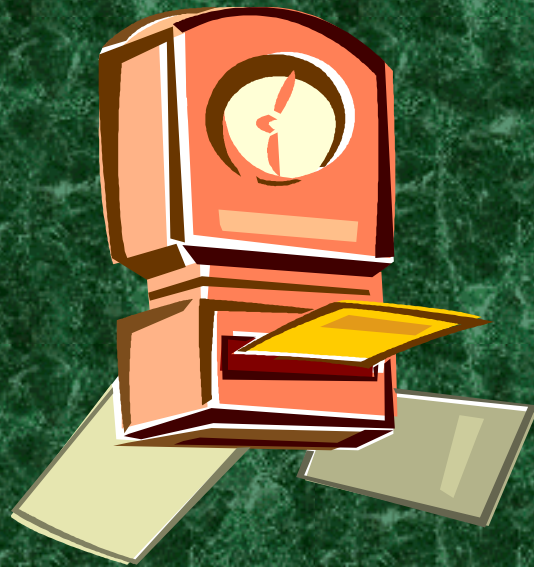
**Unauthorized employee leasing  
arrangements and confusion over  
employee and employer connections  
with leased employees.**

6. *“Check, please. Hey, can I have the check? Hello? The service here is terrible.”*



**Bouncing paychecks, holding checks or not issuing a check on a bank convenient to employees.**

*5. “There is no ‘I’ in team. There is no ‘U’ in time card. Duh!”*



**Changing time records without knowledge of employees (e.g., using illegal software that changes time records or employers doing so proactively).**

*4. “Look at your personnel file? Now, why would you want to do that?”*



*Failing to maintain and disclose personnel files as required by state law and labor regulations.*

3. *“Oh, what a nasty cut! No, sorry, bandaids are for employees only.”*



**Misclassifying workers (as independent contractors or volunteers) and denying them Workers' Compensation coverage.**

*2. “Welcome to PartMart. Here’s your hat, your name badge and your time card. Ok, off you go.”*



**Providing nothing in writing (e.g., rate of pay, fringe benefits, pay period and pay day) to employees at the time of hire.**

*AND THIS YEAR'S*

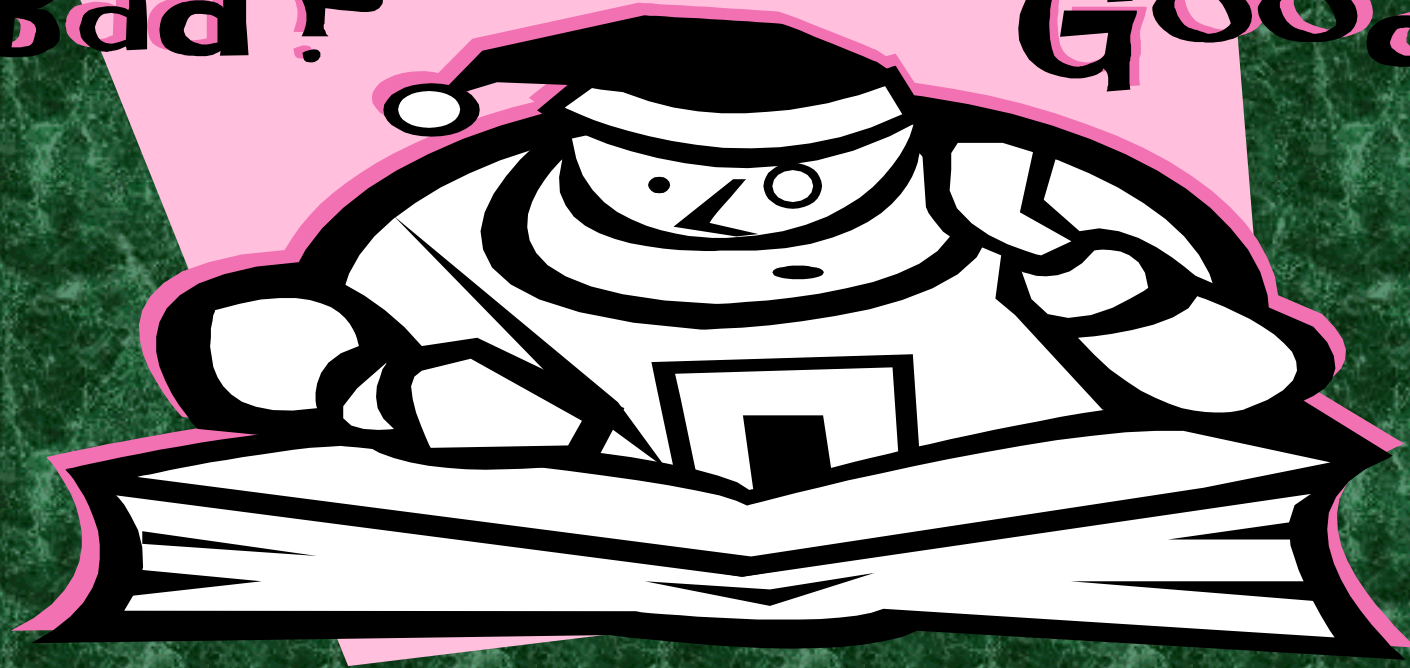
*BIG WINNER...*



OR LOSER AS THE CASE MAY BE

Bad?

Good?



# *THE WORST WAGE AND HOUR VIOLATION IN 2005*



*1. “Everything is wonderful, 150 employees and not one complaint, suggestion or scrap of unnecessary paper in the files..”*



**Employing illegal aliens and failing to comply with all applicable state and federal laws regarding documentation, deductions, withholdings, wage payments and recordkeeping.**

**THAT'S IT FOR THIS YEAR'S LIST.**

**LET'S BE CAREFUL OUT THERE!**



**Thanks again to the Wage and Hour  
Inspection Division at NHDOL !**



**THUNDERING APPLAUSE!**



**THANK YOU!**

***JIM REIDY***

***and the Employment Law Group***

**SHEEHAN PHINNEY BASS**

**+ GREEN, P.A.**

