

Wage & Hour

CMC's Wage & Hour Practice Group provides the proactive counseling and strategic audits needed to navigate daily compliance and evolving regulatory priorities. Backed by former Department of Labor (DOL) insight, our team helps you manage complex pay practices while staying ahead of workforce risk.

Compliance Counseling, Policy Development, and Training

We provide day-to-day counseling on complex wage and hour issues that arise throughout the employment lifecycle. Our proactive approach helps clients maintain compliance with the Fair Labor Standards Act (FLSA) and evolving state laws.

- Evaluating employee status (exempt vs. non-exempt), independent contractor vs. employee arrangements, contractor, and gig work arrangements to mitigate misclassification risk and avoid liability.
- Reviewing and developing compliant pay practices, including bonus, commission, and incentive pay plans.
- Designing defensible timekeeping systems and recordkeeping protocols for wage deductions, final pay requirements, and meal and rest break obligations.
- Navigating the intersection of wage and hour laws with the FMLA, military leave, and state-specific parental leave requirements.
- Conduct internal wage and hour audits to identify compliance gaps and mitigate risk.
- Managing compliance for multi-state and remote workforces, including localized meal and rest break obligations.
- Addressing unique challenges in sectors such as hospitality (tip credits/pooling/service charges), healthcare, logistics, and manufacturing.
- Drafting comprehensive handbook policies and providing manager-level and HR training on overtime approval and proper timekeeping discipline.

Litigation Defense and Investigations

We represent employers in high-stakes litigation and regulatory enforcement actions, ranging from single-plaintiff claims to complex class and collective actions.

- Defending against large-scale claims involving unpaid overtime, minimum wage violations, misclassification, "off-the-clock" work allegations, and unpaid interns.
- Resolving claims related to the calculation of bonuses, commissions, and incentive pay.

- Directing the response to U.S. Department of Labor (DOL) Wage and Hour Division investigations and state agency audits.
- Negotiating settlements and compliance agreements with federal and state regulators to resolve enforcement actions.