



Steer clear of compliance trouble!

Get in step with the latest FLSA regulations and guidelines *before* DOL comes knocking on your door.

FAIR LABOR STANDARDS HANDBOOK

For States, Local Governments and Schools

For nearly 20 years, the
#1 choice of more public-sector employers
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without cost or obligation.**

Dear Public Official:

If you're feeling confused and unsettled about the fast-approaching overhaul of the Fair Labor Standards Act (FLSA) employee classification rules, you're in good company...

As I write this, the U.S. Department of Labor (DOL) is putting the finishing touches on regulations that will completely rewrite the FLSA's "white-collar" exemption rules as you've known them. Once the new minimum salary levels for the salary basis test and new duties test are officially installed, employers may have **no more than 90 days to review** and possibly reclassify every employee in their organization.

Now imagine it's Day 91 ... will you be ready for an unannounced visit from an eager DOL investigator who knocks on your door looking to see your reclassification documentation before close of business that very day?

What you knew yesterday won't help you today.

Even if your organization has been fully compliant up to now (no complaints, no violations, not a single blemish on an outstanding record of compliance)—**you're no longer safe.**

Under the new regulations, for example, workers may no longer have to "consistently exercise discretion and independent judgment" to be eligible for the administrative exemption. Will you know how to analyze whether or not an employee holds a "position of responsibility," the proposed new standard for declaring an administrative exemption?

If you're hesitating for a moment answering this question, you could be leaving yourself and your organization wide open for a DOL audit, or worse, litigation—and that could mean back wages, expensive legal fees and fines.

And keep in mind that these changes cover just one aspect of your very stressful and demanding HR responsibilities!

What is the color of organizational non-compliance? Green. And lots of it.

If you think I'm overstating the consequences of non-action, consider these cases "ripped from the headlines"...

- ▶ In Mississippi, school districts recently paid over \$15 million to settle claims filed by 4,200 workers.
- ▶ Los Angeles County recently paid \$645,000 to settle an FLSA lawsuit filed by its deputy sheriffs.
- ▶ The state of Iowa is still reeling from its *third* multi-million dollar judgment *in less than one year*.

And don't think for a moment that working for a smaller agency or municipality keeps you under the FLSA audit radar. Smaller jurisdictions are just as vulnerable to non-compliance issues as large state and metropolitan areas. Consider these examples:

- ▶ El Paso County, Colorado, recently settled an action involving employees in its coroner's office.
- ▶ Police officers in Agwam, Massachusetts, won an FLSA appeal for back wages owed for overtime hours. The court noted the financial burden on the town, but held that the public, not individual police officers, must pay the expense of additional security.

In FY 2003, DOL collected over \$182 million dollars in back wages for FLSA non-compliance – an increase of more than 27% from FY 2002.

Whether you work for a large state agency or a small school district, you're responsible for ensuring full compliance for your organization. You're the first-line offense to **prevent FLSA missteps, mistakes and miscommunications before you're entangled in DOL investigations and legal disputes.**

Why sweat it when so much of the **hard work has already been done** for you ... When all you have to do is follow the **proven, expertly developed steps** to successful FLSA compliance that have already been developed for you?

All it takes is...

FAIR LABOR STANDARDS HANDBOOK

Expert guidance to help you manage your compliance program with greater ease, effectiveness, and confidence—yours to try RISK-FREE for the next 30 days!

The only FLSA reference resource written especially for states, local governments and schools, the HANDBOOK is the one authoritative resource that maps out ALL the vital aspects of the Fair Labor Standards Act—and shows you exactly how they apply to your daily operations.

Packed with more than 1,000 pages, this two-volume looseleaf reference manual offers you a comprehensive, one-stop source for U.S. Department of Labor rulings, key statutes, and regulations ... critical insights into current decisions and emerging trends ... and answers to your most commonly asked questions, such as:

- ▶ How do I determine who's covered by the Fair Labor Standards Act?
- ▶ How do I classify employees as exempt or nonexempt from overtime pay rules?
- ▶ How do I handle paying overtime and what is considered as "working time"?
- ▶ How do I decide when comp time can and can't be accrued?
- ▶ What information do I need to document and how should it be recorded?

Developed by two of the nation's pre-eminent legal experts on employment law

Authors Daniel Abrahams, Esq., of the Washington, D.C. law firm of Epstein, Becker & Green, and Gilbert J. Ginsburg, Esq., draw on more than 40 years of experience representing employers before the courts and DOL to bring you the seasoned perspective and reliable guidance you need to survive in this environment of ever-evolving regulations and increasingly larger jury verdicts.

The best part? Even though it's prepared by top legal experts, you don't have to be a lawyer to use and understand the HANDBOOK. **Written in plain, everyday English**, the HANDBOOK offers clear, concise guidance and analysis, and translates even the most complex material into easy-to-understand FLSA compliance strategies.

Add its collection of practical tools and guidance to your reference arsenal and you get a **24/7 source of continually updated, accurate information** that will give you greater insight and confidence in managing your compliance program ... today and tomorrow.

- ▶ Informs you of special rules governing overtime and other issues directly applicable to public employees, including employees who work under Section 207(k) schedules

- ▶ Outlines enforcement trends
- ▶ Keeps you abreast of FLSA developments and changes
- ▶ Helps you stay on top of current issues with monthly newsletters and updates
- ▶ Streamlines procedures with sample forms and documents to help calculate regular rate and overtime pay and incorporate successful recordkeeping practices

From arming you with the tools to minimize your liability exposure to providing effective remedies and defense strategies if a DOL audit or investigation is launched, the **HANDBOOK is the most comprehensive source of FLSA compliance intelligence you can own.**

“I’ve recently been promoted, and needed information on the Fair Labor Standards Act when I found your *HANDBOOK* on the shelf. It’s been a comfort to know that there is a good resource at hand when I have questions that need to be answered...”

—*Deputy Chief Bob Copus*
Homewood Alabama Police Department

It’s a quick-reference guide to the questions you’re asked to answer—by employee and employer alike—every day!

Logically organized to allow you to search efficiently for specific information needed, the HANDBOOK is so authoritative that subscribers often tell us that when an angry employee storms into their office, they easily defuse the situation by pulling out a page and referring to its guidance—right then and there. Armed with tools like these, your job gets a whole lot easier:

- ▶ Overtime Liability Charts
- ▶ Sample DOL Notices
- ▶ Employee Exemption Tests
- ▶ Subminimum Wage Charts
- ▶ Regular Rate Charts

And that’s not all!

You get original text of key documents and hard-to-find DOL opinion letters. All in one place.

In addition to the HANDBOOK’s straightforward explanations, you’ll also have the full text of relevant federal statutes and regulations, and analysis of relevant court opinions and congressional testimony—all collected, analyzed and synthesized with hard-to-find DOL administrative rulings and more.

New interpretations of FLSA rulings many times signal new headaches for employers. And even if noncompliance isn't "willful," employers like you can find themselves liable for thousands of dollars in back pay. These DOL opinion letters offer valuable insight into what you can—and can't—do to prevent future problems ... a must for your ability to plan ahead.

You won't find this kind of information anywhere but in the HANDBOOK!

"The *HANDBOOK* and newsletters keep me up to date on what's going on with the law and court rulings. We use it as a resource when training school districts. The letter rulings help us by clarifying situations when we have questions that need to be answered."

—Kara Powers, Associate HR Consultant
Texas Association of School Boards

With the frequent FLSA changes you've seen (and will continue to see), what you can't afford is a resource whose information is stale and packaged in an inflexible, static format that becomes obsolete the moment it hits your desk.

Your HANDBOOK never goes out-of-date—you're always working with the most current information available!

Each month, as part of your annual HANDBOOK subscription, you'll automatically receive our *Current Developments* newsletter and update pages to keep you on top of major new developments in the field, new DOL rulings, major court decisions, DOL enforcement activities, new compliance procedures, and much more.

"We use the *HANDBOOK* as a reference when we need some clarification on an issue. Also, the newsletters keep us up-to-date on what's going on with the Fair Labor Standards Act."

—Kati Christianson, Payroll
Grand Forks Park District

Just one issue out of the 12 you'll receive could have a profound impact on your FLSA compliance and budget. These reports provide an ongoing, continuous resource to help you achieve and maintain full compliance.

Maybe you'll turn to it every day. Perhaps you'll only need to refer to it a few times a year. No matter. As our thousands of subscribers would attest—the peace of mind that comes with having the most authoritative source of FLSA compliance know-how right at your fingertips is worth every penny of your investment.

But why not see it for yourself—and it won't cost you a single penny for the privilege!

SEND NO MONEY NOW

**Take a full 30 days to review
FAIR LABOR STANDARDS HANDBOOK
at entirely no cost or risk to you!**

Once your HANDBOOK arrives, don't let it sit on your desk unopened. Crack the shrink-wrap and thumb through it right away.

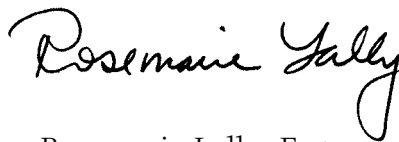
See for yourself how it can make complying with FLSA regulations a whole lot easier with a lot less worry. Let your staff take a look as well. And by all means, take your time. We encourage you to use the HANDBOOK as fully and completely as you can. If, after 30 days, you then decide it hasn't proven its value to you, just send it back. It really is that simple.

**Order toll-free 1-800-677-3789
for fast, priority service**

Call, or if you prefer, complete and mail the enclosed 30-Day Free Trial Certificate. No postage necessary. You'll have your copy of the HANDBOOK in just a few days.

With the new "white-collar" exemption regulations almost upon us, and with court decisions and new interpretations being handed down every day, why risk going it alone? Get the practical guidance you need to keep your organization current and compliant—order your 30-day free trial copy of the *Fair Labor Standards Handbook* today.

Sincerely,



Rosemarie Lally, Esq.
Executive Editor

P.S. You can't rely on last year's guidelines when it comes to FLSA compliance in 2004 and beyond.

Protect yourself and your organization from costly employee and federal litigation. Order your no-risk, 30-day free trial copy of the *Fair Labor Standards Handbook for States, Local Governments and Schools*—find out why it's the **#1 choice of more public-sector employers** than any other reference available today!
