



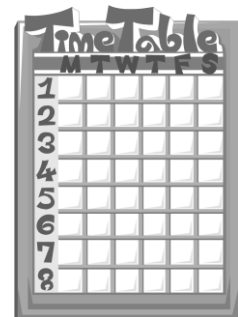
Ua Haujlwm Tshaj Sijhawm

Overtime

Puas muaj cov cai hais txog ua haujlwm tshaj sijhawm?

Tsoomfwv tebchaws thiab tsoomfwv xeev puav leej muaj cov cai tswj kev ua haujlwm tshaj sijhawm. Lawv yog Federal Fair Labor Standards Act (FLSA) thiab Minnesota FLSA. Txoj cai tsoomfwv tebchaws tso cai them nyiaj rau cov sijhawm ua haujlwm tshaj sijhawm tsawg dua thiab siv tau rau coob leej neeg ua haujlwm tshaj li tsoomfwv xeev txoj cai. Yog muaj ib qho teebmeem ntawm ob txog cai, thiab ob qho yog hais txog tib tug neeg ua haujlwm, feem ntau siv txoj cai tsoomfwv tebchaws rau cov coob. Yog xav paub ntiv seb cov neeg ua haujlwm twg yog cov muaj feem los ntawm tsoomfwv tebchaws cov cai, mus saib daim ntawv tsoomfwv Department of Labor's [Fact Sheet #14](#) ntawm www.dol.gov/whd hauv qab "Resources."

Yog koj muaj feem tau kev them nyiaj ua haujlwm tshaj sijhawm raws txoj cai, nws txhaum cai rau tus tswv num nrog koj sablaj nrhiav tswvyim kom tsis tau them koj rau qhov ua haujlwm tshaj sijhawm. Tsis tas koj ua haujlwm puv sijhawm "full-time" lossis ib nrab sijhawm "part-time". Lub chaw ua haujlwm yuav tsum them nyiaj ua haujlwm tshaj sijhawm rau tus neeg ua haujlwm, tshwj tias lawv muaj pov thawj qhia tias tus neeg ua haujlwm ntawd muaj kev "zam tawm" ntawm txoj cai. Feem ntau, cov neeg ua haujlwm tsis poob rau qhov kev zam tawm no thiab lawv yog cov neeg ua haujlwm "tsis-zam tawm." Cov neeg ua haujlwm uas tsis-zam tawm yuav tsum raug them raws cov teev ua haujlwm thiab rau tagrho cov sijhawm ua haujlwm tshaj. Yog xav paub ntiv tias leejtwg yog cov "zam-tawm" thiab "tsis-zam tawm," mus saib peb daim ntawv [Hom Haujlwm thiab Cov Cai Koj Muaj](#).



Nws yog ib qho tswvyim zoo khaws tej ntaub ntawv koj sau cov teev ua haujlwm cia rau koj tus kheej. Sau cia tias koj pib thiab xaus thaum twg rau txhua hnuv koj ua haujlwm. Khaws cov ntaub ntawv rau ib qho chaw zoo tseg.

Tsoomfwv Tebchaws thiab Tsoomfwv Xeev Cov Cai Tswj Kom Yuav Tsum Ua

Tsoomfwv tebchaws txoj cai Federal Fair Labor Standards Act (FLSA) tswj kom feem coob cov tswv num yuav tsum them nyiaj ua haujlwm tshaj sijhawm rau cov teev ua haujlwm tshaj 40 teev rau ib lub lim tiam haujlwm. Lub lim tiam haujlwm yog teev cai los ntawm lub chaw haujlwm. Feem ntau, nws yog Vas Thiv mus rau Vas Xaum txhua txhua lim tiam lossis lwm cov sijhawm (168 teev) xws li ntawd.

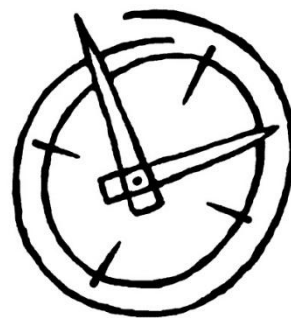
Minnesota FLSA tswj tias cov tswv num yuav tsum them rau ua haujlwm tshaj sijhawm rau cov neeg ua haujlwm uas ua haujlwm tshaj 48 teev ntawm ib lim tiam haujlwm twg. Tsuas siv Minnesota txoj cai xwb yog tias koj qhov chaw haujlwm lossis koj tsis muaj feem ua haujlwm tshaj sijhawm raws li tseemfwv tebchaws txoj cai.

Tej cov cai txog cov teev ua haujlwm thiab nyiaj them ua haujlwm tshaj sijhawm yog dabtsi?

- Kev ua haujlwm tshaj sijhawm yog sauv los ntawm lub lim tiam haujlwm. Nws tsis yog sauv raws txhua hnuv. Yog koj ua haujlwm tshaj 8 teev ib hnuv tiamsis tsis tau tshaj 40 teev tauj ib lim tiam haujlwm, ces koj tsis tau nyiaj them ua haujlwm tshaj sijhawm rau hnuv ntev ntev ntawd.
- Muab cov teev ua haujlwm sib faib tsis tau rau lub sijhawm them nyiaj ua haujlwm. Yog tswv num them koj 2 lim tiam twg ces koj chaw haujlwm hais tsis tau kom koj ua haujlwm 50 teev ib lim tiam tas ces hos ua 30 lub lim tiam tom ntej kom tsis txhob tau them koj rau qhov haujlwm tshaj sijhawm. Yuav tsum them koj rau 10 teev ua haujlwm tshaj sijhawm rau lub lim tiam thib ib.
- Lub lim tiam haujlwm txhais tau tias ib lub sijhawm 7 hnuv sib raws ntsaws. Thaum twg pib thiab xaus yog teem tseg los ntawm tus tswv num. Hloov tsis tau nws tsuas yog tshwj tias qhov hloov ntawd nyob mus li.

Nco Cia: Tej zaum cov cai yuav txawv yog tias koj ua haujlwm rau cov chaw saib xyuas kev noj qab haus huv. Tej zaum lub lim tiam haujlwm muab teev tau txawv raws kev siv lub sijhawm “8/80.” Rau cov neeg ua haujlwm no ces txhais tau tias them nyiaj rau ua haujlwm tshaj sijhawm tshaj 8 teev rau tib hnuv, lossis tshaj 80 teev rau lub sijhawm 14-hnuv. Tswv num muaj cai los txiav txim seb lawv puas xav them nyiaj rau ua haujlwm tshaj sijhawm raws li qhov teev no.

- Yog koj ua tshaj ib txog haujlwm rau tib qho chaw ua haujlwm, koj muab cov teev koj ua haujlwm rau ob txog haujlwm sib ntxiv ua ke seb koj puas tau ua haujlwm tshaj sijhawm.
- Tsuas yog cov teev uas koj tau ua haujlwm thiaj li suav tau hais tias ua haujlwm tshaj sijhawm xwb. Cov teev rau cov hnuv koobtsheej, hnuv so thiab hnuv muaj mob tsis suav tias yog teev ua haujlwm.
- Koj tus tswv num txiav txim seb koj puas yuav tau ua haujlwm tshaj sijhawm. Tej zaum koj yuav raug qhuab qhia lossis poob koj txoj haujlwm yog tias koj tsis kam ua.
- Ntau cov tswv num xav kom koj tau lus tso cai ntawm lawv ua ntej pib ua haujlwm tshaj sijhawm. Ua ntej koj ua haujlwm tshaj sijhawm, nrog koj tus nai tham seb puas tau.



Yog koj ua haujlwm dhau sijhawm thiab TSIS tau lus tso cai los ntawm koj tus nai, koj tus tswv num yeej tseem yuav tau them nyiaj rau koj txawm tias koj tsis ua raws txoj cai.

Tiamsis nco ntsoov, tej zaum koj yuav raug qhuab qhia rau qhov tsis nug seb puas ua tau ua ntej thiab tej zaum qhov ntawd yuav tsim teebmeem. Nws yeej zoo tshaj yog tias ua raws cov cai ua haujlwm thiab nug txog ua haujlwm tshaj sijhawm yog tias qhov no yog ib txoj cai uas muaj.

- **Tsis txhob ua haujlwm “tom qab tawm caij haujlwm lawm” ib zaug li.** Qhov no txhais tau tias txhua zaus koj ua haujlwm ces nco ntsoov ntaus sijhawm rau koj daim ntawv, es koj thiaj raug them rau cov haujlwm koj ua.
- Yog koj muaj ib qhov xiam oob qhab, koj nug tau kom hloov cov sijhawm tswj kom yuav tsum ua haujlwm tshaj sijhawm. Qho no hu ua kev pab hloov raws yam yuav tsum yoog.

Ua li cas kuv thiaj paub tias kuv tau nyiaj them ua haujlwm tshaj sijhawm?

Kev tau them ua haujlwm tshaj sijhawm nyob ntawm seb koj puas yog tug neeg ua haujlwm uas tau kev “zam tawm” lossis “tsis-zam tawm.” Txawm koj raug them raws cov teev ua haujlwm los yog them raws nyiaj xyoo los tsis txawv, taimsis feem ntau cov neeg ua haujlwm hom tsis-zam tawm yog cov raug them raws cov teev ua haujlwm. Nug koj tus tswv num yog tias koj paub tsis tseeb.

- Yog koj ua haujlwm rau qhov chaw ua haujlwm uas muaj tsawg kawg 2 tug neeg ua haujlwm thiaj tau nyiaj txwm xyoo lossis nyiaj lag luam rov los tagrho yog \$500,000 lossis tshaj, yuav tsum tau them koj rau ua haujlwm tshaj sijhawm
- Yog koj ua haujlwm rau lub tsev kho mob lossis lub lag luam uas muab kev kho mob lossis tsev nyob tu neeg mob, feem ntau yuav tsum them koj rau ua haujlwm tshaj sijhawm.
- Yog koj ua haujlwm rau lub tsev kawm ntawv, tsev qhia ntawv rau cov menyuam me lossis koomhaum tsoom tswv, feem ntau yuav tsum them koj rau ua haujlwm tshaj sijhawm.
- Yog koj ua haujlwm rau cov lag luam hla xeev (cov lag luam uas muaj cov khoom siv lossis cov kev pab cuam hla xeev nruab nrab lossis ib ncig cov xeev), feem ntau yuav tsum them koj rau ua haujlwm tshaj sijhawm.
- Yog koj ua haujlwm rau hauv tsev (tu vaj tu tsev, zos menyuam, ua zaub mov), feem ntau yuav tsum them koj rau ua haujlwm tshaj sijhawm.

Koj yuav tsis muaj feem tau them rau ua haujlwm tshaj sijhawm yog tias koj yog “zam tawm.”

Cov haujlwm piv txwv uas yog “zam tawm” ntawm ua haujlwm tshaj sijhawm yog tias tus neeg ua haujlwm poob rau txoj cai teem tseg ntawm qhov zam ntawm:

- Cov neeg ua haujlwm tswj, tswj hwm, hlwb hlau “computer,” lossis cov kws txawj uas tau txais nyiaj hli. Nyiaj raws xyoo yog nyiaj teev tseg ua ntej lawm tias koj yuav raug them pestsawg tauj ib lim tiam. Nws tsis yog them raws teev. Feem ntau, cov neeg ua haujlwm no yuav tsum raug them tsawg kawg yog \$844 tauj ib lub lim tiam (\$21.10 tauj ib teev).
- Tej co neeg ua haujlwm rau cov lag luam muag khoom raug them raws li seb nws ua tau zoo li cas

- Tus neeg sab nraud uas muag khoom.
- Tej co neeg ua haujlwm rau cov chaw muag tsheb uas muag lossis kho tsheb thiab raug them raws qhov lawv muag tau lossis ua tau.
- Tej co neeg ua teb. **Nco cia:** cov neeg ua haujlwm ua liaj ua teb tsis muaj feem xyuam tau nyiaj them tshaj sijhawm “overtime” raws li tsoomfwv txoj cai FLSA. Qhov ntawd yog ua haujlwm tshaj “overtime” **40** teev ntawm ib lub li tiam twg. Tiamsis, feem ntau cov neeg ua haujlwm ua liaj ua teb muaj feem xyuam tau “overtime” raws ib Minnesota txoj cai FLSA. Qhov ntawd yog overtime tom qab **48** ib lim tiam.

Qhov nyiaj them rau ua haujlwm tshaj sijhawm yog pestsawg?

Cov nyiaj them rau ua haujlwm tshaj sijhawm yog “ib teev thiab ib nrab ntiv.” Qhov no txhais tau tias yog qhov nyiaj ib txwm them koj ntiv nrog rau ib nrab ib txwm them koj. Yog koj rau them \$20 tauj ib teev, txhua teev koj ua haujlwm tshaj 40 teev tauj ib lim tiam ces koj raug them \$30 tauj ib teev, lossis raug them raws ib teev thiab ib nrab ntiv. Ua haujlwm tshaj sijhawm them tau ntau tshaj ib teev thiab ib nrab ntiv. Nws nyob ntawm tus tswv num.



Feem ntau, koj qhov nyiaj them ua haujlwm tshaj sijhawm yuav tsum yog raws txhua hom nyiaj uas koj yeej raug them, tsis yog raws tus nyiaj tauj teev xwb. Piv ntawv, cov nyiaj them rau kev peev xwm muag tau raws li teev ua haujlwm, thiab feem ntau yuav tsum suav cov nyiaj them tshaj vim ua haujlwm tau zoo nrog rau koj qhov nyiaj ua haujlwm tshaj sijhawm.

Muab kuv rho tawm haujlwm puas tau yog kuv qhia txog cov teebmeem overtime ua haujlwm tshaj sijhawm?

TSIS TAU. Koj qhov chaw ua haujlwm tsis muaj cai “ua pauj” rau koj yog hais tias koj qhia txog qhov lawv ua txhaum txoj cai FLSA. Lawv tsis muaj cai ua pauj yog hais tias koj pab tshawb nrhiav txog qhov cai lawv ua txhaum FLSA. Ua pauj yog tej yam xws li muab koj rho tawm haujlwm, muaj koj txoj haujlwm txo qis dua, tsis rov yuav koj mus ua haujlwm ntiv lawm, thiab lwm yam.

Kuv nug puas tau txog cov nyiaj them ua haujlwm tshaj sijhawm uas lawv yuav tsum them kuv yav dhau los?

Tau. Tiamsis qhov ua haujlwm tshaj sijhawm ntau tshaj koj nug tau tsuas yog rov qab mus 2 xyoo xwb. Rau tej txhia, yog tias muaj povhawj qhia tau tias koj chaw ua haujlwm txhob txwm khiv lav, tej zaum tau 3 xyoos.

Yog kuv muaj lus nug ne?

Koj yuav tsum tiv tauj ib qho chaw hauv qab no lossis ib tug kws lij choj pab kev ua haujlwm.

Minnesota Department of Labor and Industry Labor Standards

www.dli.mn.gov

Xov tooj: (651) 284-5005 or 1-800-DIAL-DLI (1-800-342-5354)

Federal Wage and Hour Division, U.S. Department of Labor

www.dol.gov/whd

Xov tooj: 1-866-4USWAGE (1-866-487-9243)

Cov ntawv Qhia Tseeb yog qhia kom paub txoj kevcai xwb TSIS yog muab txwv yim txog txoj kevcai. Mus ntsib ib tug kws lij choj rau tswv yim. Tsis txhob siv daim ntawv qhia tseeb yog tias nws qub tshaj ib xyos lawm. Nug peb txog cov hloov tshiab, daim ntawv qhia txog cov ntawv qhia tseeb, lossis lwm hom ntawv.

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