

875—216.2(91D) Employees subject to minimum wage.

216.2(1) *Items required.* Every employer shall maintain and preserve payroll or other records containing the following information and data with respect to each employee to whom the Act applies:

a. Name in full, as used for social security record-keeping purposes, and on the same record, the employee's identifying symbol or number if such is used in place of name on any time, work, or payroll records;

b. Home address, including ZIP code;

c. Date of birth, if under 19;

d. Reserved;

e. Time of day and day of week on which the employee's workweek begins. If the employee is part of a work force or employed in or by an establishment all of whose workers have a workweek beginning at the same time on the same day, a single notation of the time of the day and beginning day of the workweek for the whole work force or establishment will suffice;

f. Basis of pay by indicating the monetary amount paid on a per hour, per day, per week, per piece, commission on sales, or other basis;

g. Hours worked each workday and total hours worked each workweek (for purposes of this rule, a "workday" is any fixed period of 24 consecutive hours and a "workweek" is any fixed and regularly recurring period of seven consecutive workdays);

h. Total daily or weekly straight-time earnings or wages due for hours worked during the workday or workweek, exclusive of premium overtime compensation;

i. Reserved;

j. Total additions to or deductions from wages paid each pay period including employee purchase orders or wage assignments. Also, in individual employee records, the dates, amounts, and nature of the items which make up the total additions and deductions;

k. Total wages paid each pay period; and

l. Date of payment and the pay period covered by payment.

216.2(2) *Records of retroactive payment of wages.* Every employer who makes retroactive payment of wages or compensation under the supervision of the labor commissioner, the administrator of the U.S. Department of Labor, Wage and Hour Division, or court order shall:

a. Record and preserve, as an entry on the pay records, the amount of the payment to each employee, the period covered by such payment, and the date of payment; and

b. Prepare a report of each payment on a receipt form provided by or authorized by the commissioner, and

1. Preserve a copy as part of the records,

2. Deliver a copy to the employee, and

3. File the original, as evidence of payment by the employer and receipt by the employee, with the commissioner within ten days after payment is made.

216.2(3) *Employees working on fixed schedules.* With respect to employees working on fixed schedules, an employer may maintain records showing instead of the hours worked each day and each workweek as required by 216.2(1) "g," the schedule of daily and weekly hours the employee normally works. Also,

a. In weeks in which an employee adheres to this schedule, indicate by check mark, statement or other method that the hours were actually worked; and

b. In weeks in which more or less than the scheduled hours are worked, shows the exact number of hours worked each day and each week.

SOURCE: 29 CFR 516.2.