



## Salaried Employee - More than 40 Hour Work Week

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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## Table of Contents

Salaried Employee - More than 40 Hour Work Week .....	3
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**Reference Number:** MTAS-2090

### **Computing Regular Rate of Pay - Salaried Employee Working More Than 40 Hours a Week**

If an employee receives a salary for all hours worked, then the regular rate varies according to the number of hours worked in a week. The employee's regular rate is determined by dividing the weekly salary and other forms of compensation by the number of hours worked.<sup>29</sup> C.F.R. § 778.114.

**Example:**

If an employee works 50 hours for a weekly salary of \$500, the regular rate is \$10 an hour. Overtime for this employee is based on half-time and would be \$5 an hour for 10 hours, which is \$50. The regular rate of an employee who is paid a salary for all hours worked varies each week depending on the hours actually worked.

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