



County Technical Assistance Service

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Overtime Pay May Not Be Waived

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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 county 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 e-Li material.

Sincerely,

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Overtime Pay May Not Be Waived

Reference Number: CTAS-992

The requirement that overtime must be paid after 40 hours a week cannot be waived by agreement between the employer and employees. Similarly, an agreement that only eight hours a day or only 40 hours a week will be counted as working time will clearly fail. An announcement by the employer that no overtime work will be permitted, or that overtime work will not be paid for unless authorized in advance, also will not impair the employee's right to compensation for the overtime work that the employer suffers or permits (has knowledge of).

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