

'Tis the Season for Compliance

YOUR COMPLIANCE CHECKLIST FOR HOLIDAY HIRING

As the holiday season approaches, many businesses are now scrambling to find additional staff members to meet increased demand. If you find yourself in a similar situation, remember that labor law compliance doesn't take time off for the holidays. To avoid risks and ensure compliance, you need a solid plan in place. And just like your holiday shopping, getting an early start is always a wise move.

As our gift to you, we made a compliance checklist (and even checked it twice) to help you navigate the challenges of temporary staffing this holiday season.



Overtime Regulations for Seasonal Workers

Generally, seasonal employees are still subject to overtime rules. Under the [Fair Labor Standards Act \(FLSA\)](#), non-exempt seasonal workers must receive overtime pay when exceeding 40 hours worked in any given workweek. Some states, like California, have even stricter overtime laws, such as paying overtime for work over eight hours in a single day.



Make certain your time tracking system is up to date and regularly review your seasonal employees' schedules to confirm that overtime pay is correctly applied.

Employee Classification

[Proper classification](#) of seasonal employees is essential to avoid costly compliance penalties. Seasonal workers fall under the definition of "temporary workers," can be full-time or part-time, and generally work less than 1,000 hours a year for your company. And while temporary workers may work under a contract, be careful not to classify them as "independent contractors" or "contract workers," who are self-employed.

Conduct regular audits to confirm that your seasonal employees are correctly classified and receiving all required benefits and protections.

Tracking Paid Leave Laws

Many states and cities have [paid sick leave laws that apply to seasonal employees](#), regardless of how short their employment period is. For example, states like New Jersey and Arizona allow seasonal workers to accrue paid sick leave just like regular employees.

Ensure your HR system tracks paid sick leave accruals for all workers, including seasonal staff, to maintain compliance with local laws. [GovDocs Paid Leave](#) can help you stay compliant with state and local paid sick leave laws, including those that specifically apply to temporary workers.

Minimum Wage Requirements

Seasonal workers are entitled to the same minimum wage as regular employees. For multi-state employers, it's important to track these varying minimum wage rates, which can differ by state, city, or even county. Washington, for instance, has a higher minimum wage than the federal requirement, and some cities impose even stricter standards.

Make sure to adjust your payroll system to account for differing wage rates in the states and cities where your seasonal employees work. [GovDocs offers a minimum wage solution](#) that will automatically alert you whenever a change occurs at one of your locations, simplifying this process significantly.



Hiring Practices & Legal Considerations

Hiring seasonal workers requires the same attention to compliance as hiring for full-time staff, if not more so. These temporary staff members need to complete I-9 forms, have access to labor law posters, and are guaranteed the same protections against discrimination as permanent employees. Ensuring your onboarding process follows all federal, state, and local regulations is key.

Audit your seasonal hiring process using a detailed checklist that includes [labor law posting compliance](#), minimum wage rates, employment classification, and paid leave.



By following these tips, you can ensure that your business remains compliant during the holiday season while benefiting from the flexibility that seasonal employees provide. Just like your holiday shopping, making a list and checking it twice will ensure a season free from stress and non-compliance.

Have questions? [We'd love to hear from you!](#)

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