



The DOL's Employee and Employer Services

June 12, 2011

DOL – Timeshare Application for Employees

The United States Department of Labor (the “DOL”) has recently released a new iPhone application called DOL – Timeshare. According to the application's product page on the Apple store,

“[the application] is a timesheet to record the hours that you work and calculate the amount you may be owed by your employer. It also includes overtime pay calculations at a rate of one and one-half times (1.5) the regular rate of pay for all hours you work over 40 in a workweek.”

DOL – Timeshare is currently profiled on the DOL's homepage, and according to the DOL's press release:

this new technology is significant because, instead of relying on their employers' records, workers now can keep their own records. This information could prove invaluable during a Wage and Hour Division investigation when an employer has failed to maintain accurate employment records.

Furthermore, the DOL plans to continue development on the current version of the application by adding new features to help employees calculate tips, commissions, bonuses, deductions, holiday pay, weekend pay, and shift differentials, as well as developing similar versions for other smartphone platforms, including the Blackberry and Android operating systems.

Since the application was only released about three weeks ago, it remains to be seen how much of an impact it will actually have on future wage and hour litigation.

OSHA Recordkeeping Advisor for Employers

Although not as exciting as the new iPhone application, the DOL has also released a web application for employers. The new Web tool helps employers understand their responsibilities to report and record work-related injuries and illnesses pursuant to the Occupational Safety and Health Administration's (“OSHA”) regulations. According to the DOL's website, [OSHA Recordkeeping Advisor](#) is intended to help determine:

- Whether an injury or illness (or related event) is work-related;
- Whether an event or exposure at home or on travel is work-related;
- Whether an exception applies to the injury or illness;
- Whether a work-related injury or illness needs to be recorded;

- Which provisions of the regulations apply when recording a work-related case.

In order to help employers make these determinations, the OSHA Recordkeeping Advisor presents various questions and relies on particular answers to determine the appropriate course of action. It must be remembered, however, not all employers are required to follow OSHA's reporting and record keeping rules, for example, if your company has ten or fewer employees and classified in specific industries, then your company may be exempt from keeping records in compliance with OSHA's rules. If you are unsure whether your company is covered by the record keeping requirements, they are set forth in OSHA's regulations at 29 CFR 1904.1.

OSHA's Recordkeeping Advisor is one in a series of online "elaws" developed by the DOL to help employers and employees understand federal employment laws. For a complete list of elaws Advisors, visit the DOL's elaws web site at: www.dol.gov/elaws. To learn more about DOL's occupational safety and health program, visit the OSHA web site at www.osha.gov.

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