Q. We have a handful of employees who clock in early, (i.e., 5:00 p.m.) but don’t actually start working until their scheduled time (6:00 p.m.). Do we have to pay them when they do this? — Juelee, Wisconsin

A. Yes. Basically, the Fair Labor Standards Act (and similar state laws) require employers to pay employees for all time that they are “suffered or permitted to work.” Thus, if an employee clocks in early, he or she must be paid for time worked.

Rather than withhold pay, the better course of action is to warn employees not to clock in until the start of their scheduled shifts. Then, you can discipline them if they continue to do so. You can’t, however, refuse to pay for time worked, not even if you are otherwise disciplining them for failing to follow your policies.