



New York State Department of Labor
Eliot Spitzer, *Governor*
M. Patricia Smith, *Commissioner*

December 27, 2007



Re: Request for Opinion
Overtime/Spread of Hours
File No. RO-07-0137

Dear [REDACTED]:

I have been asked to respond to your letter of December 20, 2007 in which you ask whether you have correctly interpreted New York States statutes and regulations regarding payment of overtime to FLSA exempt employees and spread of hour wages are correct. Enclosed please find opinion letters issued by this Department on June 21, 2007, October 15, 2007 and April 12, 2007 in regard to these issues.

Very truly yours,

Maria L. Colavito, Counsel

By: Jeffrey G. Shapiro
Senior Attorney

cc: Carmine Ruberto

JGS
enc.