



SIX-DAY WORKWEEKS AND CALIFORNIA OVERTIME LAWS

In California, a six-day workweek earns overtime only when daily or weekly hour limits are crossed, not simply because a sixth day was worked.

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<https://www.worklawyers.com/six-day-workweeks-overtime-california/>

In California, working a six-day workweek does not, by itself, entitle an employee to overtime. Whether overtime is owed depends on the number of hours worked, not the number of days.¹

Overtime refers to increased hourly rates that nonexempt employees can earn when they work more than a certain number of hours in a workday or workweek.² In California, employees are generally entitled to overtime only if they work:

-  More than 8 hours in a workday,
-  More than 40 non-overtime hours in a workweek, or
-  A seventh consecutive day in any workweek.³

So, if an employee works six days during a single workweek but never works more than eight hours in a single day and never accumulates more than 40 hours of work during the workweek, they are *not* entitled to overtime in California.

Importantly, some of these words have a specific legal meaning. A **workday** for these purposes is a 24-hour period that begins at the same time each calendar day.⁴ A **workweek** is a period of seven consecutive days beginning on the same calendar day each week.⁵

Employers are responsible for designating the start of the workweek.⁶ Knowing how the workweek has been designated is often important for deciding whether overtime is owed.

The rate of overtime pay depends on the length of the employee's shifts and the number of days they worked in the workweek. Overtime is generally paid at either time-and-a-half (1.5 times the employee's regular rate of pay) or double time (2 times the employee's regular rate of pay), depending on the number of hours and days worked.⁷

Of course, there are many exceptions and caveats to these rules. Some industries and jobs, for example, have specific overtime laws that apply. If you would like to learn more about California's overtime laws, please see our article: [Overtime Wage Laws in California, Explained](#).

References

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| 1 | Labor Code, § 510, subd. (a). |
| 2 | 29 U.S.C. § 207; Labor Code, § 510, subd. (a). |
| 3 | Labor Code, § 510, subd. (a). |
| 4 | Labor Code, § 500, subd. (a) [“‘Workday’ and ‘day’ mean any consecutive 24-hour period commencing at the same time each calendar day.”]. |
| 5 | Labor Code, § 500, subd. (b) [“‘Workweek’ and ‘week’ mean any seven consecutive days, starting with the same calendar day each week. ‘Workweek’ is a fixed and regularly recurring period of 168 hours, seven consecutive 24-hour periods.”]. |
| 6 | <i>Seymore v. Metson Marine, Inc.</i> (2011) 194 Cal.App.4th 361, 368 [“Section 500 undoubtedly affords an employer significant flexibility in the designation of a workweek.”], disapproved on other grounds by <i>Mendiola v. CPS Security Solutions, Inc.</i> (2015) 60 Cal.4th 833, 845–846. |
| 7 | Labor Code, § 510, subd. (a). |
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