

## **Procedure IV.4001.A.h, Exempt Employees**

### **Associated Policy**

Policy IV.4001.A, Compensation

### **Procedure**

The Fair Labor Standards Act (FLSA) regulates Federal policy on minimum wage and overtime payments. Some categories of employees (executives, administrators, faculty, counselors, and other professionals) are exempted from the provisions of the FLSA by the nature of their job duties and salary levels and are paid a monthly salary. These employees are referred to as "exempt" employees and the overtime/comp time provisions of FLSA do not apply.

Exempt employees are expected to work a minimum of a forty (40) hour week. Within a work week, with the approval of the leader, an exempt employee may work a flexible schedule; e.g., a counselor scheduled to work Friday night and Saturday morning may be off during a day the same week.

The following guidelines may be helpful in deliberations about exempt employees and work schedules:

- A flexible schedule is permissible within a single work week when agreed upon by the exempt employee's immediate leader.
- This flexible schedule is not recorded and reported to payroll on an exempt employee.
- Exempt employees must use available leave time (sick, vacation, or personal leave) to account for the scheduled work week.
- Exempt employees do not "bank" comp time or overtime to be used or paid at a later time as do non-exempt employees.

### **Definitions**

**Comp Time:** Comp time is time banked, at the employee's discretion, to be taken as an alternative to overtime paid. Comp time is limited to eighty (80) hours accumulated during a fiscal year and must be taken within the same fiscal year.

**Exempt Employee:** An employee that is exempt from the provisions of the Fair Labor Standards Act and is ineligible for overtime pay.

**Overtime Pay:** All hours worked in excess of forty (40) hours per work week will be paid at the rate of one and one-half times the regular pay rate.

**Work Week:** The College's work week begins 12:01 a.m. Monday and extends through midnight the following Sunday.

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| Date of SLT Approval                                    | October 30, 2018                 |
| Effective Date  | December 4, 2018                 |
| Associated Policy                                       | Policy IV.4001.A, Compensation   |
| Primary Owner of Policy Associated with the Procedure   | Vice Chancellor, Human Resources |
| Secondary Owner of Policy Associated with the Procedure | Vice President, Human Resources  |

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