



HUMAN RESOURCES POLICY

SUBJECT:	Compensation	TITLE:	Exempt and Non-Exempt Position Classification		
CATEGORY: Check One	Board of Trustees <input type="checkbox"/>	Presidential <input type="checkbox"/>	Functional <input checked="" type="checkbox"/>	School/Unit <input type="checkbox"/>	
Responsible Executive:	Vice President for Human Resources		Responsible Office:	Compensation Services	
CODING:	Code: 30-01-30-10:00	ADOPTED:	07/01/90	AMENDED:	2/04/2010
					LAST REVIEWED: 2/04/2010

I. PURPOSE

To set policy regarding exempt and non-exempt position classifications pursuant to Fair Labor Standards Act (FLSA) regulations.

II. ACCOUNTABILITY

The Vice President for Human Resources shall ensure compliance with this policy. The Director of Compensation and Benefits Services and the schools and operating units shall implement this policy.

III. APPLICABILITY

This policy applies to staff employees only (non-faculty).

IV. POLICY

- A. When a position is being established, re-evaluated, or reclassified by the Human Resources Compensation Services Office, a designation of either exempt or non-exempt is assigned based on FLSA guidelines. "Exempt Position" means a position is excluded from the provisions of the Fair Labor Standards Act.
- B. At its discretion the University may, based on market practice, opt to treat a position legally qualified as exempt as though it were non-exempt.
- C. Staff employees classified as "Non-Exempt" must be paid on an hourly basis and receive overtime pay at a rate of not less than one and one half times (1.5x) their regular rate of pay after 40 hours of work in a work week. Non-exempt staff employees must be compensated either by cash payment or compensatory time off at the discretion of the department's management.
- D. Exempt staff employees are not entitled to overtime pay under FLSA regulations.

- E. Compensatory time off in-lieu of cash compensation must be given at the rate of one and a half hours for each hour worked in excess of 40 hours per week for non-exempt staff employees.
 - i. Maximum accrual limits for compensatory time off are as follows: staff employees engaged in a Public Safety activity, or an Emergency Response activity may accrue a maximum of 480 hours of compensatory time (480 hours is comprised of 320 hours at time and a half).
 - ii. Staff employees engaged in any other work may accrue not more than 240 hours of compensatory time (240 hours is comprised of 160 hours at time and a half).
- F. Managers and supervisors shall ensure staff is accurately compensated; non-exempt staff must receive time and one-half pay for all hours worked over 40 hours per week.

By Direction of the President:

Vice President for Human Resources