Exempt and Non-Exempt Staff Councils brown bag
Exempt and Non-Exempt – What does it mean?
Tuesday, October 5, 2010
12:00-1:00, MHC 155 and MOH 202

John gave an intro of Edna and what today would be about.

The main topic is the difference between Exempt and Non-Exempt. The reason for having the different classifications is the Federal Government and the Fair Labor Standards Act (FLSA) which is a federal statute. There are certain jobs that because of their role/responsibilities, what they do or not do, fall into the different classifications. You don’t need to be paid for more than 8 hours per day, the law is by week so it is limited by 40 hours per week. The institution can determine when the work-week begins, it doesn’t have to be Sunday or Monday. Exempt employees can work more than 40 hours a week but do not get overtime. Non-exempt must be compensated at 1.5 times their regular rate. There can be compensatory time for this. It is alright to receive comp time instead of extra pay, but it needs to be consistent and the comp time needs to be consistent to their pay rate. If you work 42 hours work, then you need to receive 3 hours comp time (1.5 the regular rate).

Edna gave some examples of Non Exempt positions and said there are federal tests to compare positions to in order to classify them. FLSA information is posted online and there is a link from the UST HR Compensation webpage to the Department of Labor page. Exempt employees must be paid a weekly minimum and paid on a salary basis.

Employers can make reasonable changes to an employees work schedule.

As for vacation time, Exempt employees receive 4 weeks vacation per year up until 12 years of service at which point they get 5 weeks. Non-Exempt staff have their hours accrued each year starting at 3.5 weeks and can carry forward 160 hours until September 30th at which point they lose anything over that. After 4 years they can accrue 4.7 weeks each year. For Non-Exempt, PLT also includes their sick time.

Respectfully submitted,
Nate Rolloff