



TRUMAN
STATE UNIVERSITY

// **DISTINCT BY DESIGN**

Updates to the Fair Labor Standards Act



All employees fall into one of two classifications:

- Exempt – Paid by the job
- Non-exempt – Paid by the hour
 - Hourly
 - Salaried/Comp Time Eligible



Employment Classifications

How do we determine employment classifications?

- Fair Labor Standards Act (1938)
- Guidelines for the FLSA are issued by the Department of Labor
- State law



Employment Classifications

Exempt employees meet the criteria for exemption under the FLSA and are not entitled to overtime:

- Duties test
- Salary test
- Certain job types, including teachers, are always considered exempt



Employment Classifications

Duties test:

- Executive
- Administrative
- Professional
- Computer-related
- Outside sales
- Highly compensated



Employment Classifications

Salary test:

- Currently must be paid \$684 per week (\$35,568 annual)
- Beginning July 1, salary threshold becomes \$844 per week (\$43,888 annual)
- Is slated to increase again January 1, to \$1,128 per week (\$58,656 annual)



Employment Classifications

Exempt:

- Must receive their full salary for any week in which they perform work with only limited allowable deductions (though may require use of PTO).
- Exempt from compensation when working more than 40 hours per week



Employment Classifications

Exempt employees use leave time (sick or vacation time) in half-day or full-day increments, per Truman's policy.



Employment Classifications

Non-exempt (Hourly):

- Paid an hourly wage (at least minimum wage)
- Must be compensated if they work more than 40 hours per week (1.5 times hourly wage)
- Employee may choose if they would like to receive overtime pay or compensatory time



Employment Classifications

Non-exempt (Salaried/Comp Time Eligible):

- Paid a salary (hourly rate must be greater than minimum wage)
- Must be compensated if they work more than 40 hours per week
- Eligible for compensatory time (calculated at 1.5 times hourly rate)
- Same vacation schedule as exempt



Employment Classifications

How do comp time accruals work?

- Comp time accrues in 15-minute increments
- Comp time is capped at 90 hours (60 hours actually worked)
- Unused comp time is paid out annually with the January payroll



Employment Classifications

Non-exempt employees use leave time (sick, vacation or compensatory time) in 15-minute increments.



Employment Classifications

What is compensable time for non-exempt employees?

- Meals or break time?
- Travel time?
- On call time?
- Meetings or trainings?



Employment Classifications

Meals or break time?

- Short break periods are compensable under FLSA (generally 15 minutes)
- Longer break periods for meals are not compensable
- Some states may require breaks, paid or unpaid



Employment Classifications

Travel time?

- Travel to and from work is not compensable
- Travel as required by employee's job duties is compensable
- One-day travel assignments are compensable
- Compensability rules apply to overnight travel (on HR site; review before travel)



Employment Classifications

Travel time?

Overnight travel time that is compensable:

- Any portion of travel during regular work schedule (even on non-work days)
- Any time driving a vehicle
- Any event an employee is required to attend or while performing any required duty



Employment Classifications

Travel time?

Overnight travel time that is not compensable:

- Regular meal periods
- Time spent sleeping
- Time spent as a passenger or waiting outside of regular work hours
- On non-travel days, time during the regular work schedule that is not spent working



Employment Classifications

On call time?

- If an employee is working on site while waiting for an assignment, time is compensable.
- If an employee has the ability to remain at home or visit local venues while on call, that time usually is not compensable.
- De minimis work



Employment Classifications

Meetings or trainings?

Time is compensable unless all of the following criteria are met:

- Meeting is outside working hours
- Attendance is voluntary
- Training is not related to employee's job
- Employee does no work while attending



Employment Classifications

Meetings or trainings? (continued)

The same rules apply to Truman-sponsored events specifically for employees on campus, including:

- MOSERS retirement seminars
- Wellness Screenings or Flu Vaccine Clinic
- Staff Council Social



Employment Classifications

Why does it matter?

- The FLSA was enacted to protect workers
- Being Non-exempt ensures you are paid for all hours worked
- Exempt vs. Non-exempt each has its own benefits and drawbacks



Employment Classifications

Troubleshooting

- Following the work week
- Planning for overtime
- Volunteering



Employment Classifications

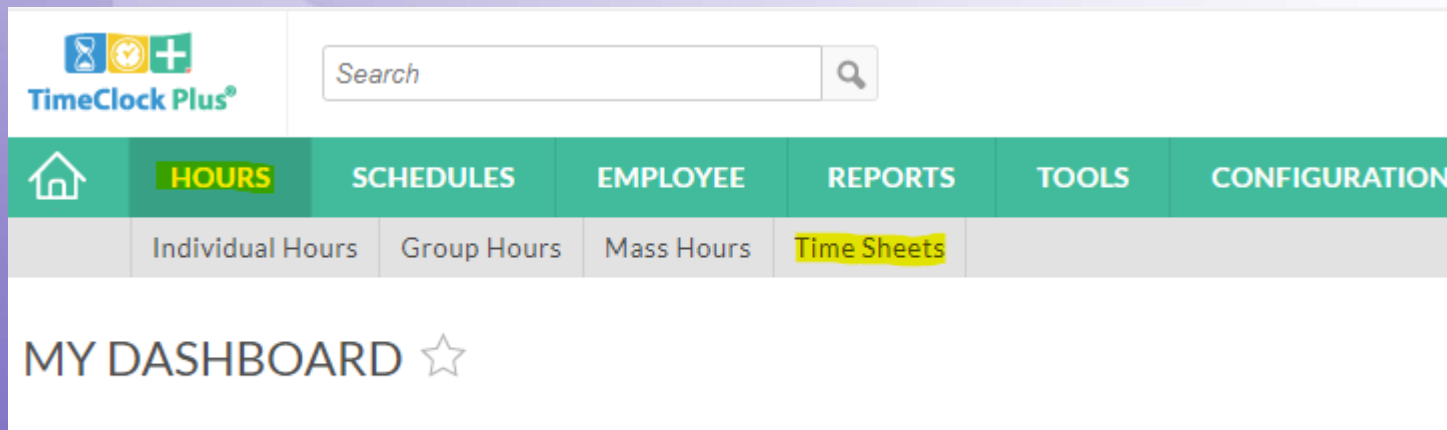
Following the work week:

- The work week for Truman is Sunday through Saturday.
- Any deviations – accrued comp time or leave usage – should be recorded in TimeClock.

Employment Classifications

Use the manager login:

<https://beryl1.truman.edu/app/manager/#/ManagerLogOn>




The screenshot shows the TimeClock Plus web application interface. At the top left is the TimeClock Plus logo, which includes icons for a clock, a person, and a plus sign. To the right of the logo is a search bar with the placeholder text "Search" and a magnifying glass icon. Below the search bar is a horizontal navigation menu with seven tabs: "HOURS", "SCHEDULES", "EMPLOYEE", "REPORTS", "TOOLS", and "CONFIGURATION". The "HOURS" tab is highlighted in green. Underneath the "HOURS" tab, there are four sub-items: "Individual Hours", "Group Hours", "Mass Hours", and "Time Sheets". The "Time Sheets" sub-item is highlighted in yellow. At the bottom left of the interface, there is a link labeled "MY DASHBOARD" with a star icon next to it.

Employment Classifications

Select One Or More Employees

Select using filters Filter

Select employees from list



Showing 3 records of 3 Selected 1 records

<input type="checkbox"/>	ID↑	First Name	Last Name	Export Code
<input type="checkbox"/>	606995	Andrew	Herington	000606995
<input type="checkbox"/>	140366	Eric	Davis	000140366
<input checked="" type="checkbox"/>	1005912	Austin	Mullenix	001005912


Options ? Feedback

Cancel Next


Employment Classifications

Configure Time Sheets

05/19/2024 - 05/25/2024 **Navigate Period** **Display weekends**

[<](#) | [>](#) 
[Prev](#) [Next](#)



05/19 - 05/25

Sun 05/19	8:00	Mon 05/20	0:00	Tue 05/21
Edit Clear Copy <input type="text" value="09:00 AM"/>  <input type="text" value="8:00"/> Default Job Code Add		Add		

Employment Classifications

Edit Segment ? Feedback

Segment Length: 8:00

Time in  

Hours

Job Code

Note

Cancel Save

Click "Next" and then "Process."



Employment Classifications

Planning for overtime

- Plan out week accordingly to keep work week to 40 hours
- **Do not carry/makeup time over multiple weeks**
- Remember the January comp time payout



Employment Classifications

Can employees volunteer their time?

- Employees cannot volunteer to perform duties – or similar duties – for which they are already paid
- “Similar” can be broadly defined. To avoid violations, non-exempt employees should not work without pay



Employment Classifications

For employees who meet the duties test to be exempt, but not the salary test, compliance will continue to be a moving target.

- Raises and promotions
- DOL updates to salary threshold



Employment Classifications

Is this change really going to happen?

- On July 1?
- On January 1?



TRUMAN
STATE UNIVERSITY

 **DISTINCT BY DESIGN**

QUESTIONS?

Human Resources
hrstaff@truman.edu
McClain 101
x4031

Payroll
payroll@truman.edu
McClain 101
x4286