

EXEMPT/NON-EXEMPT EMPLOYEE STATUS

I. SCOPE

All employees.

II. PURPOSE

To define “exempt” and “non-exempt” employee status and to provide guidelines for determining this status according to law.

III. POLICY

All positions in the University of St. Thomas will be classified as either exempt or non-exempt in compliance with law and for pay purposes.

IV. DEFINITIONS

Definitions of exempt and non-exempt status are based on provisions of the Fair Labor Standards Act (FLSA) and state law. These definitions are summarized as follows:

Exempt. Management, supervisory, professional and administrative employees whose positions meet specific tests established by the FLSA and state law and who are exempt from overtime pay requirements.

Non-exempt. Employees whose positions do not meet FLSA exemption tests and who are paid one-and-one-half times their regular rate of pay for hours worked in excess of 40 in one week.

V. PROCEDURE

In cases where the “exempt/non-exempt” status of an employee is in doubt, the Director of Human Resources will review position duties and responsibilities against FLSA exemption tests, and make a decision in consultation with the President.

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