



FERRIS STATE UNIVERSITY

HUMAN RESOURCES

HR Related Policies & Procedures

Eff. Date: August 16, 2013

FSU-HRPP 13:02

Exempt Employee Exception Time Reporting

COVERED EMPLOYEES

- All Exempt Employees

Note: Bargaining unit employees are covered by the terms and agreements of the collective bargaining unit agreement (CBA). Please refer to the CBA for details.

HR PROCEDURES/DESCRIPTION/DEFINITIONS

On August 23, 2004, the Department of Labor updated the current Fair Labor Standard Act to modernize the requirements for determining employee exemption status. Those employees that qualify for the white collar exemption are considered by Federal law and the University as exempt. Exempt employees are:

- Generally paid on a salary basis, and not subject to minimum wage and overtime provisions
- Not eligible for overtime pay for work performed in excess of 40 hours per week, and not eligible for compensatory time (time off).
- Overall, pay is not based on the amount of time spent at work, but rather for meeting the responsibilities of the position. (This means an exempt employee may be required to work more than regularly scheduled hours in a given workweek).

RESPONSIBILITY

Employee: Follow department/unit time off procedures for Supervisor approval. Leave time shall be reported in half-day (normally 4 hours) increments when working less than half-day. No leave shall be recorded when working more than half-day.

Supervisor: Supervisor shall establish time off approval processes to meet the needs of the department/unit. Time shall not be recorded in less than half day (normally 4 hour) increments for exempt employees.

Exempt employees are required to fulfill the responsibilities of the position. The recording of half days does not prevent the supervisor from inquiring about schedules or assuring that the employee is meeting the expectations of the position either from an attendance or productivity perspective. Docking of pay for exempt employees (when no leave time is available) normally should only occur when no work is performed for a full day and the employee is off for personal reasons or has exhausted paid sick leave. Recording leave in hourly increments is permitted for absences covered under the Family and Medical Leave Act, and partial day deductions may be made for those absences.

Refer Questions To: Any questions regarding pay, time reporting, or FLSA exemption status should be directed to the Human Resources Office as soon as is practicable.

RECORDING OF LEAVE TIME FOR EXEMPT EMPLOYEES

Questions/Answers

Leave time is expected to be scheduled and approved by the employee's supervisor in advance whenever possible. Exempt employees are required to fulfill the responsibilities of their position. This recording requirement does not prevent the supervisor from inquiring about schedules or assuring that the employee is meeting the expectations of the position either from an attendance or productivity perspective.

What happens if I am gone for a one-hour dentist appointment?

Exempt employees do not need to record any absences that are less than a half day (four hours). In this case, the employee would not record any leave time.

Does it matter why I am gone? What if I am gone for 2 hours to deal with personal family matters?

Again, exempt employees do not need to record any absences that are less than a half day. In this example, no leave time would be recorded. In cases where exempt employees record leave time in half-day increments, the reason they are gone would determine if the time should be charged to sick, vacation, etc.

What happens if I am gone for five hours?

The exempt employee would report a half-day absence and charge it to the appropriate leave time category. Since recording of time is in half-day increments, the employee would not have to record any time in excess of the half day, until it becomes a full day.

What happens if I normally work an 8:00 a.m. to 5:00 p.m. schedule, and I come in late, like 1:00 p.m., but I work until 9:00 p.m.?

Exempt employees are eligible for short-term flexible work schedules as approved by their supervisors. If the supervisor approves this sort of flexible work schedule, the employee would not have to record any leave time. It should be noted that not all positions can be granted flexible work schedules due to the nature of the work, and supervisors may modify, suspend or rescind any flexible work arrangement.

If I am expected to work on a weekend or in the evening, can I take time off during the normal work day without charging time?

If a supervisor approves this flexible work schedule, the answer would be yes. There is no compensatory time for exempt employees and, therefore, this is not an hour-for-hour exchange. It does not even need to occur within the same work week. It is not unusual for exempt employees to have to work evenings or weekends in addition to normal office hours often exceeding 40 hours per week. Exempt employees are responsible for performing the duties of the position.

How do I record the extra hours I work?

Exempt employees are not eligible for overtime. There is no way to record additional hours in the University system, since exempt employees are paid their regular bi-weekly salary, and only exceptions (time when leave time is reported) are recorded in the system, now in half-day increments.