

FLSA Quick Reference Guide
04/23/08

- 1) Exempt Employee = an individual whose duties are specialized and are compensated for doing a job. The employer is not required to pay overtime to an exempt employee **by definition of the FLSA. Professional is the old Department of Labor (DOL) term.**
- 2) Non-Exempt Employee = eligible for overtime for hours actually worked over **40 hours in a work week. Classified is the old DOL term. Hourly employees are non-exempt employees.**
- 3) The University work week begins at 12:01 am on Saturday and ends the following Friday at 12:00 midnight. All hours worked over 40 hours in a work week are compensated at one and one half times the regular rate of pay. **See University policy # 382 for Standard Work Hours and # 378 Overtime.**
<http://www.usu.edu/hr/policies>
- 4) **Overtime hours** must be pre - authorized by the employee's supervisor **before the employee works the hours.** Public employees can earn comp time in lieu of overtime pay and receive time off for hours worked above 40 in a work week. Comp time is calculated at one and one half times the regular rate.
- 5) Hours worked by all hourly workers and all benefited non-exempt employees **must be recorded by the employee.**
- 6) Time records for each month must be signed by the employee. If the payroll record is approved through PHATIME, the department head/supervisor does not need to sign the time record. If the payroll system is not approved through PHATIME, the department head/supervisor must sign the time record. **The signed accurate record must be kept at the departmental/unit level for three years.**
- 7) **Department of Labor website reference:**
<http://www.dol.gov/compliance/index.html>