



## NON-EXEMPT POSITIONS

### EMPLOYEE

- Paid an hourly rate.
- Paid for all hours worked.
- Earns overtime at 1.5 x Hourly Rate for hours worked over 40 in a workweek (Sunday - Saturday). Overtime may be banked as compensatory (comp) time or paid at the discretion of the employer.
- Paid bi-weekly.
- Submits hours worked in Workday.

### SUPERVISOR

- Ensure all hours worked by employee are entered and approved in Workday.
- Manage fiscal liability by approving overtime work in advance.

<http://agrilife.org/admin/hr/fair-labor-standards-act/>

\* Faculty, Graduate Assistant Teaching/Research/Extension, Wildlife Damage Management Technician

\*\* Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees Under the Fair Labor Standards Act (FLSA)  
[https://www.dol.gov/whd/overtime/fs17a\\_overview.pdf](https://www.dol.gov/whd/overtime/fs17a_overview.pdf)



For positions that **are currently exempt and whose salary will be less than \$35,568 on January 1, 2020**, evaluate hours worked per week.

- Typically work 40 hours per week - Limited budget impact.
- Typically work significantly more than 40 hours per week:
  - Analyze cost of overtime
  - Consider whether job duties can be shifted so that fewer work hours are required of non-exempt employees
  - Limit number of hours worked to what can be covered by the budget.
  - For future budgets, factor in overtime costs for positions that will continue to be non-exempt and/or higher salary requirements for positions that will be exempt.

### Educate Supervisors re: Management of Non-Exempt Employees

- TrainTraq Online Course: 2112756: Comp Time Issues for Supervisors
- FAQs - <https://agrifeas.tamu.edu/fair-labor-standards-act-faqs/>
- Supervisor Resource Document provided by AgriLife HR

### Notify Affected Employees and their Supervisors

- Unit Heads will be provided with list of impacted employees and resource documents for employees and supervisors.

### Educate Employees

- TrainTraq Online Course: 2112755: Comp Time Issues for Employees
- FAQs - <https://agrifeas.tamu.edu/fair-labor-standards-act-faqs/>
- Employee Resource document provided by AgriLife HR



**JANUARY 1, 2020**  
Positions\* paid less than \$35,568 annually become non-exempt.

\*Does not apply to faculty, GATs, GARs, GAEs, Wildlife Damage Management Technicians



AgriLife Human Resources is available for face-to-face training.