University Policy No. 200.32
EXEMPT EMPLOYEE POLICY

Responsible Administrator: Vice President for Administration
Responsible Office: Office of Human Resources
Originally Issued: November 2016
Revision Date:
Authority: Office of President

Policy Statement
It is the policy of Claflin University to provide compensation to employees exempt from
the overtime requirement of the Federal Fair Labor Standards Act ([FLSA] “exempt
employees”) on a salary basis.

Statement of Purpose
This policy establishes guidelines to protect the rights of exempt employees and Claflin
University’s exempt status in accordance with the FLSA (29 CFR 541, et seq.).

Applicability
All employees are designated as either nonexempt or exempt under state and federal
wage and hour laws. The following establishes the University’s guidelines for exempt
employees.

DEFINITIONS
• Exempt employees - Generally executives, managers, fulltime faculty, professionals, or administrative staff who are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.
• Nonexempt employees - Employees whose work is covered by the FLSA. They are not exempt from the law’s requirements concerning minimum wage and overtime. See University Policy No. 200.33: Nonexempt Employee Policy.

ELIGIBILITY FOR OVERTIME
Exempt employees are not eligible for overtime; they are expected to work as many hours
as required to perform the duties of the position.
PROCEDURES

1. In accordance with the Fair Labor Standards Act, exempt employees will receive a "predetermined amount" of compensation that cannot be reduced due to partial-day absences. Exempt employees who exhaust their sick and vacation leave accruals must continue to receive their full pay for any partial day worked. When an employee is absent for a full day (i.e., performs no work) and does not have sick or vacation leave, the University will make the proper payroll deduction (dock).

2. The University will provide full compensation based upon a predetermined amount for exempt employees who do not have sick or vacation leave when they work a partial day. Under the salary basis rule, employees ARE NOT eligible for full compensation if one of the following holds:
   • The employee is absent for one or more full days for personal reasons, disciplinary suspensions, etc.
   • The absences occurred in the initial or terminal week of employment.
   • The employee is on unpaid leave under the Family and Medical Leave Act.

3. Employees who misrepresent or abuse this policy will be subject to disciplinary action under the Staff Guidelines and University Policy No. 200.19: Policy on Termination, which include verbal and written warnings, suspension, and dismissal. Employees are responsible for notifying their supervisors immediately when they need to request time off from work for pre-planned and scheduled appointments and personal leave.

Compensatory Time
The University does not allow the accrual of compensatory time by nonexempt or exempt employees.

SPECIAL NOTE
This policy replaces University Policy Number 200.06 on Salary Requirements for Exempt Employees (Salaried Basis)

REVIEW DATE – December 2021