Section: 60.9.33

Section Title: Legacy UMDNJ policies associated with Human Resources

Policy Name: Exempt and Non-Exempt Position Classification

Formerly Book: 30-01-30-10:00

Approval Authority: Senior Vice President for Administration

Responsible Executive: Senior Vice President for Administration

Responsible Office: University Human Resources

Originally Issued: 7/1/1990

Revisions: 2/4/2010; 7/1/2013; 10/10/2013 (Updated title)

Errors or changes? Contact: policies@hr.rutgers.edu

1. Policy Statement
   The policy covers Rutgers University employees who are employed within legacy UMDNJ positions.

2. Reason for the Policy
   To set policy regarding exempt and non-exempt legacy UMDNJ position classifications pursuant to Fair Labor Standards Act (FLSA) regulations for staff employees only (non-faculty).

3. Who Should Read This Policy
   All Rutgers employees who are employed in legacy UMDNJ positions.

4. Related Documents
   N/A

5. Contacts
   University Human Resources: 848-932-3020

6. The Policy

60.9.33 EXEMPT AND NON-EXEMPT POSITION CLASSIFICATION

I. POLICY

   A. When a position is being established, re-evaluated, or reclassified by University Human Resources, a designation of either exempt or non-exempt is assigned based on FLSA guidelines. "Exempt Position" means a position is excluded from the provisions of the Fair Labor Standards Act.

   B. Staff employees classified as "Non-Exempt" must be paid on an hourly basis and receive overtime pay at a rate of not less than one and one half times (1.5x) their regular rate of pay after 40 hours of work in a work week. Non-exempt staff employees must be compensated either by cash payment or compensatory time off at the discretion of the department’s management.
C. Exempt staff employees are not entitled to overtime pay under FLSA regulations.

D. Compensatory time off in-lieu of cash compensation must be given at the rate of one and a half hours for each hour worked in excess of 40 hours per week for non-exempt staff employees.

i. Maximum accrual limits for compensatory time off are as follows: staff employees engaged in a Public Safety activity, or an Emergency Response activity may accrue a maximum of 480 hours of compensatory time (480 hours is comprised of 320 hours at time and a half).

ii. Staff employees engaged in any other work may accrue not more than 240 hours of compensatory time (240 hours is comprised of 160 hours at time and a half).

E. Managers and supervisors shall ensure staff is accurately compensated; non-exempt staff must receive time and one-half pay for all hours worked over 40 hours per week.