

RUTGERS POLICY

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.