OM 4.3.4 Overtime Policy for Non-Exempt Employees

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About This Policy

Effective Date: December 1975
Last Updated: November 2016
Responsible University Office: Human Resources
Responsible University Administrator: Chief Inclusion and Human Resources Officer
Policy Contact: Human Resources
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Purpose

The University’s policy regarding overtime follows the regulations of the Federal Fair Labor Standards Act and its Amendments of 1966 and revisions in December 1, 2016, concerning non-exempt employees.

Summary

The Fair Labor Standards Act (FLSA) requires that non-exempt employees be paid premium overtime pay for all hours worked in excess of forty (40) hours per workweek. This policy describes procedures, which comply with the FLSA, for assigning, reporting, and paying overtime. This policy does not apply to employees covered by a collective bargaining agreement. (Refer to the applicable agreement for overtime procedures.) This policy does not apply to exempt employees.

Definitions

Compressed Work Schedule is defined as an alternate work schedule completed in fewer than five (5) full workdays per week.

Department Head is defined as the highest ranking administrator in a department, center or college/school within the University (e.g., Senior Vice President, Vice President, Dean, Cabinet level Director, or Department Chair).

Clarkson University Business Hours is defined as the time of day during which business is transacted on behalf of the University. Clarkson’s Business Hours are 8:00 a.m. to 4:30 p.m.

Exempt Professional Staff Member is defined under the Fair Labor Standards Act (FLSA) as a Professional Staff Member holding a bona fide executive, administrative or professional position that is not subject to the overtime provisions of the Act. Exempt Professional Staff Members are considered salaried and time off must be reduced in whole day increments.

Fair Labor Standards Act (FLSA) A United States law which sets out various labor regulations regarding interstate commerce employment, including minimum wages, requirements for overtime pay and limitations on child labor.

Non-exempt Professional Staff Member is defined under the FLSA as a Professional Staff Member holding a position that is subject to the provisions of the Act.

Overtime is defined as all hours worked in excess of 40 in a seven-day workweek for Non-exempt Professional Staff Members. The Non-exempt Professional Staff Member must be paid at a rate of one and one-half times the regular rate of pay for all hours worked above 40.

Pay Period is defined as the bi-weekly period for which the work of a Non-exempt Professional Staff Member is compensated and the monthly period for which the work of an Exempt Professional Staff Member is compensated.

Workday is defined as the 24-hour period that commences at 12:00 a.m. and concludes at 11:59 p.m.

Workweek is defined from 12:01 a.m. Sunday to 12:00 a.m. Saturday

Policy
Members of the CSEA bargaining unit will be paid as directed using the current contract.

A shift premium will be accorded employees who are regularly assigned to the second and third shift as follows:

These premiums generally serve to compensate inconvenience and to efficiently staff undesirable shifts.

A shift premium will be accorded employees who are regularly assigned to the second and third shift as follows:

- **Second Shift**: $0.40 per hour
- **Third Shift**: $0.50 per hour

Members of the CSEA bargaining unit will be paid as directed using the current contract.