



Fair Labor Standards Act (FLSA) – Part 3

1. Update: Proposed “Minimum Salary Level” Change
2. Review: Accurate Recording of Working and Leave Hours

Information on this page was current as of the day of publication. For the latest information visit the [Auburn University FLSA](#) page.

1. UPDATE: Proposed “Minimum Salary Level” Test Change

The Department of Labor now estimates a July 2016 timeline for announcing final changes to FLSA overtime exemption rules. (<http://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201510&RIN=1235-AA11>). Once the final rules are published, the compliance period is expected to be short. (<http://www.hrmorning.com/overtime-dol-sets-tentative-deadline-for-final-rules/>) Therefore, the University will have to comply with the requirements of the new regulations soon thereafter. As such, Human Resources will continue to plan for and publish communications to help prepare supervisors for the DOL’s final decision.

2. REVIEW: Accurate Recording of Working and Leave Hours

The complete and accurate recording of actual working and leave hours is not only a University policy, but more importantly, a federal law titled the Fair Labor Standards Act. This *“Good to Know!”* is a review of a *“Good to Know!”* communication we published last year.

- **Regulation:** Fair Labor Standards Act (FLSA)
- **Covered Employees:** **Employees** - “Student” and “non-student” - whose jobs are designated as “Non-Exempt” (*not exempt* from the obligations and requirements for the accurate recording of working time, right to a minimum wage and overtime pay provisions of the FLSA.)
- **Accountable Parties:** **Faculty and Staff Supervisors** – Any employee who directly supervises other employees whose jobs, by virtue of the work they are performing, or the minimum salary level test, are designated as “Non-Exempt.”

Daily Recordkeeping Requirements for Nonexempt Staff Work Time

Nonexempt employees are required to maintain accurate daily records of work time. Nonexempt employees **MUST** record actual hours worked as well as paid and unpaid absences. Time records, whether electronic (Kronos) or paper (only when Kronos isn’t an option) **MUST REFLECT ACTUAL** starting and stopping times of work as opposed to established work schedule. For example, if the work schedule is 7:45 a.m. to 4:45 p.m., but the employee worked from 8 a.m. to 11:30 a.m. and from 12 p.m. to 6 p.m., these actual times are to be recorded.

Supervisors have the responsibility and obligation to ensure that all working hours and leave hours for non-exempt (University Staff) employees are properly accounted and recorded on the approved time keeping system(s). Fulfilling this responsibility protects the legal rights of University Staff employees and facilitates the compliance obligations of the University.

No Exceptions Permitted!

As this is a federal law requirement, no exception can be granted regarding this obligation. To read additional information from the DOL about this requirement, visit <http://www.dol.gov/whd/regs/compliance/whdfs21.htm>.

Questions or comments regarding this “Good to Know!” bulletin can be directed to Human Resources at 844-4145 or univhr@auburn.edu.