

# AGENDA

- Welcome and introductions
- FLSA Overview
- Monitoring the external landscape
- Applying the external conditions to internal compensation strategies
- Market data analysis and application to AU jobs
- Market study Phase II impact
- A consultative approach: Earning trust and confidence
- Facilities Management Human Resources: A case study
- A&Q

# FLSA: CAN I CHECK E-MAIL NOW OR IS THIS IMPORTANT?

- The Wage and Hour Division of the Department of Labor was created with the enactment of the Fair Labor Standards Act (FLSA) in 1939.
- Includes minimum wage, overtime eligibility, record keeping requirements, and youth employment standards.
- Created to establish a federal statute which requires employers to maintain better working conditions for employees.
- Youngest age for non-agricultural work?
- Current federal minimum wage?
- Current minimum salary threshold to determine overtime eligibility?
- Hey, maybe this is important!



# FLSA: MINIMUM WAGE AND OVERTIME ELIGIBILITY SALARY THRESHOLD PROPOSED NEW RULE

- Current federal minimum wage is \$7.25 per hour
- AU minimum (wage) hiring rate is \$14.50 per hour
- ~30 states have a minimum wage above \$7.25
- Federal minimum wage last changed on July 24, 2009
- Current threshold is \$35,568 annually/\$684 per week (eff. 1/1/2020)
- Must still meet one of the exemption categories based on job duties
- Projections for the new threshold range from \$45,000 \$52,000
- Any increase which is implemented will raise wages and costs of the workforce for many employers

#### FLSA EXEMPTION FLOW CHART

YES

#### Step 1:Salary Basis Test

Is the employee paid at least \$684 per week (\$35,568 per year)

NO

Employee is nonexempt

#### Step 2: Exemption Applicability

Does the employee perform any of the following types of jobs?

<u>Executive</u>-leadership and/or management is the employee's primary duty

Administrative-employee performing non-manual office work at a high level

<u>Professional/Creative</u>-employee whose work requires highly advanced knowledge; creative and artistic profession; faculty

<u>Computer professiona</u>l-employee involved in design or application of computers & related systems (does not apply to service desk roles)

Outside sales-employee makings sales or taking orders which influence sales outside of the employers premises

NO

Employee is nonexempt

#### Step 3: Job Analysis

A thorough analysis of job duties must be performed to determine exemption status. An exempt position must pass both the salary and the duties test

YES

## THE FAIR LABOR STANDARDS ACT (FLSA)

Enacted in 1939 to protect workers

Not all jobs covered by the law

- "non-exempt" jobs are covered
- Classification is based on the actual job duties and responsibilities. The job title, reporting relationships, or qualifications of the person or not considered
- Multiple tests used to determine classification

Requirements

The Law

Covered jobs must

- Keep daily time records
- Be paid overtime (1 ½ times regular hourly rate) for any time worked over 40 hours each week

Penalties

Auburn University risks significant financial penalties for classifying jobs incorrectly

#### HIGH LEVEL MACRO CONSIDERATIONS:

#### THE ECONOMY AND THE WORKFORCE

- COVID-19 Pandemic impact on the workforce
- "The Great Resignation"
- Inflation
  - 2019=2.3%; 2020=1.9%; 2021=7%; 2022=6.5%
- Rising federal interest rates
  - from ~0% in 2021 to ~5.25% today
- Low unemployment
  - 5% in 2016; 3.5% in 2019; 14% in 2020; 3.6% in June 2023 (low of 3.4%)
  - In Alabama, at a record low of 2.2% in June 2023 (2.6% in June 2022)
- Wage growth
  - Reached 15% in 2021; now ~5%
- Labor supply and demand has an impact on wages
  - Follow the trends and think about our workforce outcomes



## AUBURN UNIVERSITY RELATED IMPACT AS A MAJOR EMPLOYER

- Talent acquisition; talent pools for posted jobs
- Engagement and retention
- Learning and professional development opportunities
- Analyzing market-competitive wages using valid market data sources
- Development and presentation of strategies supported by data for informed decision making
- Investments in our workforce and return on those investments

## WHAT CAN WE DO AS AUBURN HR PROFESSIONALS?

- If you are an HR team member supporting a unit or the enterprise for workforce decisions, we all have responsibilities for some elements of compensation and classification knowledge and support
- Earn a seat at the table; trust and confidence is not given
- Be a transactional expert and a consulting strategist
- It is art and science; understand the "big picture"
- Current and complete job descriptions are your best friend
- Don't ever give away your power: We are "They"
- One Auburn HR: Pay solutions based in policy. Driven by data. Aligned with the culture, mission, and vision. Focused on customer requests and operational needs. War Eagle!

# Utilizing Valid Market Data to Analyze Auburn University Jobs

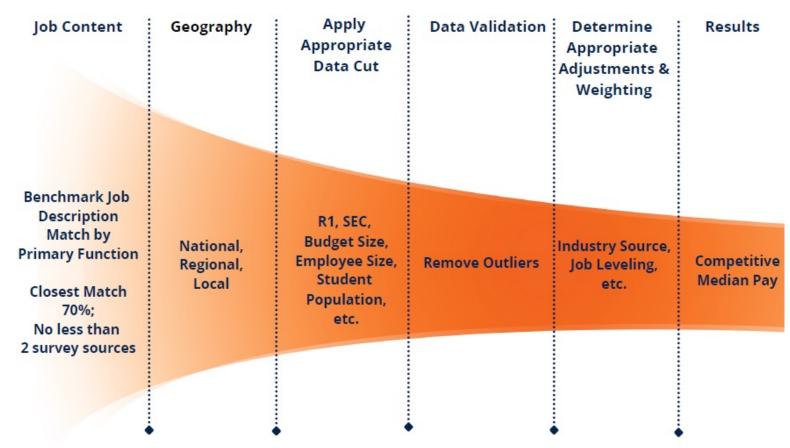
Bailey Ward
Manager, Comp and Class Administration

## **USING MARKET DATA TO INFORM PAY DECISIONS**

- Compensation purchases salary surveys from reliable third-party vendors which are experts in collecting, analyzing, and disseminating salary data from a broad range of employers
- Type of Surveys:
  - Higher Education
  - General Industry
  - Industry Specific (Athletics, Advancement, Research, Museum, etc.)
- Survey data is ONE data point at a specific point in time as part of the decisionmaking process
- Survey data is utilized for
  - Market pricing jobs
  - Pay structure development and maintenance
  - Collaboration on individual pay decisions

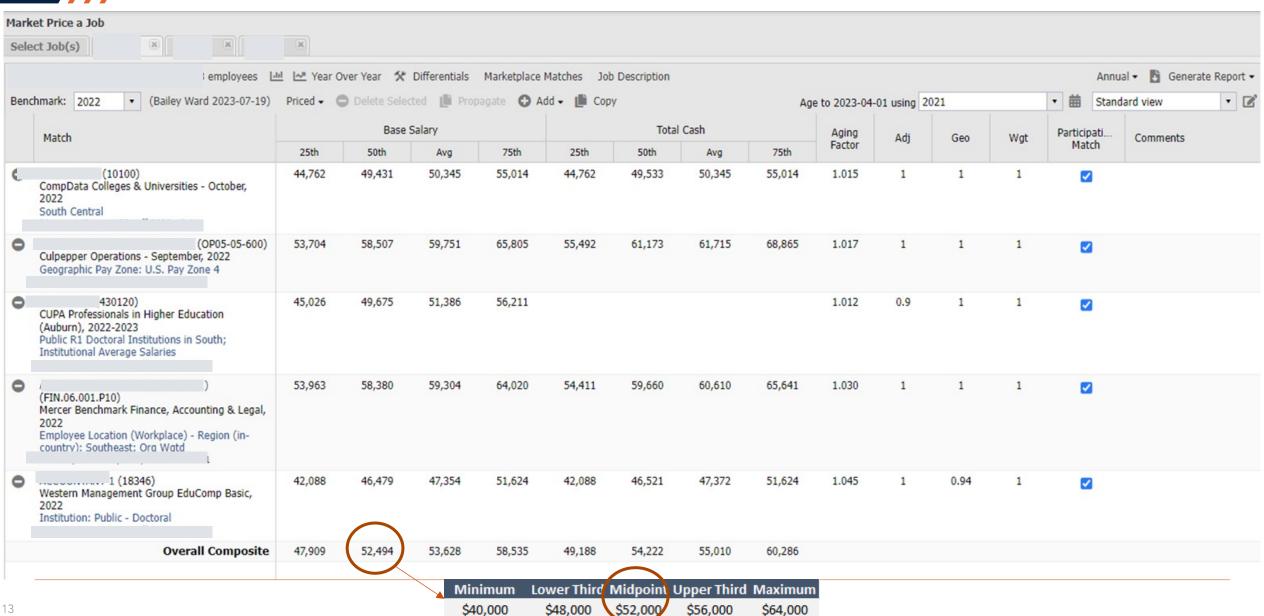
#### USING MARKET DATA TO INFORM PAY DECISIONS

#### Market Pricing Methodology\*



<sup>\*</sup>Compensation reserves the right to make adjustments within generally accepted compensation practices to best reflect the University's unique situation being addressed.

#### USING MARKET DATA TO INFORM PAY DECISIONS





Manager, Compensation Programs



## **AU'S RESPONSE TO CHANGING MARKET CONDITIONS**

#### Competitive Compensation Analysis & Infrastructure Development Project (2019-2021)

- Implementation Phase I (Oct 2022) 1,300 preliminary market adjustments
- Implementation Phase II (Oct 2023, if approved) Comprehensive data collection; Usage of Pay Evaluator; 1,330 additional market adjustments

#### Provisional Procedures to "Level the Playing Field"

- Pay adjustment restrictions on lateral transfers removed; Now, use Pay Evaluator
- Ability to extend internal and external retention offers
- Consideration for provisional procedures to continue past FY23 Feedback desired

#### Competitive Pay Structures

- Pay range movements for each pay structure reviewed and considered for adjustments on annual basis; Next potential adjustment - October 2024
- Continued monitoring of AU's minimum hiring rate (MHR)

## **BEST PRACTICES FOR POSITION MANAGEMENT**

- Regular Monitoring HRLs should partner with managers/directors to ensure all employees are accurately classified, which affects:
  - FLSA Exemption Status
  - Pay Grade
  - Pay level (and potentially benefits tier)
  - Performance management
  - Recruiting and selection (if position becomes vacant)

#### Position Reclassifications

- Primary purpose is key; not just a promotional vehicle
- Understand the purpose of any reclassifications (changes in responsibilities, increased scope, change in organizational needs, etc)
- Organizational impact
- Employee communication (before vs after)

## BEST PRACTICES FOR POSITION MANAGEMENT, CONT.

- Reorganization Planning
  - -Contact UHR Compensation (partnership with Employee Relations)
  - -Business case (Why / Who / When)
  - -Org charts
  - -Reclassification vs posting
  - -Ripple effect
  - -Budget implications
  - Managing employee expectations through communication