**FLSA Info and Facts**

**What is the FLSA?**

The Fair Labor Standards Act (FLSA) is a group of federal rules and regulations that determine eligibility for overtime pay. Major changes to these rules and regulations were implemented by the Department of Labor (DOL) in 2004. If you perform duties that do not meet one of the exemption tests developed by the DOL, your position is classified as “non-exempt” or “NE,” and you are eligible for overtime pay. If you perform duties that meet one of the *exemption tests* developed by the DOL, your position is classified as “exempt” or “E” and you are not protected by the FLSA.

Under the new rules and regulations, employees earning less than $23,660 per year or $455 per week are automatically non-exempt and guaranteed overtime protection, regardless of the job title or duties assigned to their positions.

**What do I need to do if my position is classified as non-exempt (NE)?**

If your job title is classified as non-exempt, you must approve your time in the eTime program from ADP every pay period. For new employees not yet in the system or employees whose time has been reported incorrectly should complete and submit a timesheet to the Payroll Office located at 1 Park Place.

**How does the FLSA impact Georgia State University?**

The Board of Regents (BOR) initiated a project to review all job titles utilized by institutions in the university system to ensure compliance. The project began in September 2005, and was led by Jeff Thompson, of Constangy, Brooks and Smith, LLC, an attorney hired by the BOR to oversee the FLSA reviews conducted by the institutions. As a result of this project, changes occurred in the FLSA status for several job titles at Georgia State University.

**Where can I find additional information about the FLSA?**

Information about FLSA can be found on the US Department of Labor’s website.

**FLSA buzz words to remember**

**Salary limit**

If you earn under $455 per week or $23,660 per year you are automatically non-exempt under the FLSA Exemption or Duties Tests. If your assigned duties do not meet the “test” for one of the exemptions identified by the Department of Labor, you are non-exempt. The exemption categories under the DOL are:

- Executive
- Administrative
For more information about the exemption or duties tests, go to the Department of Labor Website eTools section. If your position is classified as non-exempt (NE), you are protected by the FLSA and guaranteed overtime pay for the additional hours worked over 40 in a work week. If your position is classified as exempt (E), you are not protected by the FLSA or eligible for overtime pay.

**Overtime Pay**
Overtime pay is calculated at one and a half times your regular rate of pay. Overtime pay is applicable for hours worked in excess of 40 in a work week.

**Schedule**
Employees are required to approve hours worked and will be eligible for overtime pay for any additional hours over 40 hours in a workweek. The workweek for non-exempt employees starts on a Saturday and ends on a Friday. Please talk with your immediate supervisor about the procedures for approving your time or submitting time sheets. Managers and supervisors should contact their Human Resources Advisory Committee (HRAC) representative for further assistance.

Please adhere to all due dates to ensure that you are paid on time.