Round 2: 2020 FLSA Training
Impacted Employees & Supervisors

Human Capital Services
FLSA Training Overview

- FLSA Overview
- Impacted Employee Changes
  - Time and Leave
  - Employment Expectations
  - Work/Travel Scheduling
  - Resources
- Impacted Supervisor Adjustments
  - Managing Employment Expectations
  - Case Studies
FLSA Overview
FLSA Basics

• Exempt

"Exempt" from earning overtime - does not earn overtime or comp time when more than 40 hours are worked in a workweek

• Non-exempt

Not "exempt" from earning overtime - earns overtime or comp time when more than 40 hours are worked in a workweek
FLSA Basics

All positions are assumed to be non-exempt unless they meet ALL of the following:

– Salary Threshold
– Paid on a salary basis and not hourly
– Duties test
  ✓ Do the primary duties of the position qualify for exemption under US Department of Labor guidelines?
Myths and Misconceptions

• FLSA status is determined based on job title.
• All unclassified employees are exempt and all USS employees are non-exempt.
• Employees can volunteer additional hours of work and decline pay protection under the FLSA.
• If a job regularly requires working variable hours on evenings and weekends, it is likely exempt.
• If the overtime is not approved, it does not need to be paid.
FLSA Rewind at K-State

On September 24, 2019 the DOL announced updated regulations to change salary threshold for exemption to $35,568/year to be effective January 1, 2020.

• Cabinet approved the adjustment of K-State’s FLSA salary threshold to $35,568.

• The effective date for new salary threshold is start of FY 21 for both current employees and new hires.

• HCS met with Cabinet Members and Deans to share the 2020 FLSA action plan, a dashboard, and key decision points to be made.

• We are in the final stage of the 2020 FLSA Implementation Plan, which can be accessed on the HCS website.
Impacted Employees
Changes for Impacted Employees
Effective June 14, 2020

• Overtime and Compensatory Time will go away.
  – If you have a balance, that will be paid out on or around July 2.

• Time and Leave processes will change. Consult with HCS liaison or identified personnel for appropriate timeclock request procedures.
  – You will no longer request time in quarter-hour increments, but instead, will request time in one-half or full-day increments.
  – Timesheets will reflect standard work schedule and leave taken.
  – Clear expectations should be discussed with supervisor regarding time away.
Changes for Impacted Employees
Effective June 14, 2020

• Employment Expectations
  – Work Schedule: An approved work schedule is suggested with you and your supervisor.
    • Is there flexibility in my work schedule?
    • What does that look like?
  – Work with your department when travel is expected.
  – Employees should not work excessive hours due to change in FLSA status. What is the normal for the department and for position?
    • Example: COVID-19
Resources

- Your HCS Liaison or appropriate personnel for timekeeping procedures (Many will provide training in addition to this session.)
- Online training: FLSA Basics
- Human Capital Services Website: FLSA & Overtime
- PPM 4220: Hours of Work, Overtime, Overtime Pay and Compensatory Time
- PPM 4860 Employees Leaves, Holidays, FMLA, and Other Absences
Supervisors of Impacted Employees
Managing Expectations

• Proactively engage with your employees.
  – Define an appropriate work schedule.
  – Discuss communication preferences for time away or deviations from work schedule.
  – Maintain consistency.
  – Conduct frequent check-in’s that support balance for the employee and the work.
Managing Expectations

• Travel looks different for exempt employees

• Employees should not work excessive hours. What is the normal for the department and for position?