XAVIER UNIVERSITY

Fair Labor Standards Act

Effective: April 30, 2008

Last Updated: April 30, 2008

Responsible University Office: Human Resources

Responsible Executive: Associate Vice President for Human Resources

Scope: All University Employees

A. REASON FOR POLICY

Xavier University will comply with the federal and state law provisions of the Fair Labor Standards Act (FLSA).

FAIR LABOR STANDARDS ACT REQUIREMENTS:

In General: Both public and private employers are subject to the basic provisions of the FLSA. The Act requires employers to:

- a. Pay a set minimum wage to covered employees;

- b. Compensate employees, at premium rates, for all hours worked in excess of a fixed number of hours in a workweek or work period;

- c. Maintain adequate records of employees' pay and work hours; and

- d. Comply with child labor standards established by the Act.

1. Certain positions of Xavier University are "exempt positions" which means they are exempt from the overtime provisions, and they are commonly called salaried positions. Such employees shall not receive a reduction in pay for absences of less than one (1) day. Such absences will, when applicable, be deducted from the employee's accumulated sick leave or vacation leave time.

Exempt employees are expected to work a minimum of thirty-seven and one-half (37.5) hours per week unless instructed otherwise. Sick leave, vacation leave and holiday pay are based upon a thirty-seven and one-half (37.5) hour week or other number of hours the employee is instructed to work.

2. Many positions fall into the non-exempt status. That is, they are covered by the provisions of the FLSA, and therefore eligible for overtime compensation, and they are commonly called hourly positions. Accordingly, Xavier University pays any non-exempt (hourly) employee compensation at a rate of one and one-half (1 ½) times their regular rate of pay for any hours worked in excess of forty (40) hours in a seven (7) day workweek.

Other applicable policies and/or resources:

Hours of Work
Overtime
Vacation