



Achieve Anything

Exempt Employees

Special Commission Workshop
October 7, 2019

Presented by Human Resources



Achieve Anything

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Exempt Employee

Under the Fair Labor Standards Act (FLSA), employees are owed overtime if they work more than 40 hours/week. To be exempt from this law, you need to meet certain criteria: having advanced skills, supervising two or more people, working independently and meeting a certain salary amount.

Charter Officers meet the exemption per FLSA.



General Information Regarding Exempt Employees

- **Get the job done, no matter what it takes.**
- **Often, they do not have the ability to shut down and decide to be off the clock.**
- **Tracking time down to hour for hour, for example, is treating them almost as a nonexempt employee.**

Caution:

Treating an exempt employee like a nonexempt employee = Risk of losing the exemption



Avoiding One-way Flexibility

- **Work a full day and take work home.**
- **Attend after-hours events, meetings, etc.**
- **Contacted on holidays and scheduled vacation**
- **Required to work long hour days and then expected to be back to work at the start of the day no matter what the hours worked.**
- **An hour missed is unpaid, but an extra hour of work is expected**
- **Exempt employees often work through lunches and take little if any breaks during the workday.**



Charter Officers

- Salaried
- Regardless of time worked, no overtime
- Theory – exempt employees should be allowed more flexibility, because they are being paid to do the job, not to work certain hours.
- Allowed deductions are rare for exempt employees
- Leave policy does require whole day (8) hours deduction from leave bank.



Best Practices and Recommended Procedures:

Allow Charter Officers to have flexibility in time due to exempt and overall executive status

Request Charter Officers to communicate absences of whole day for personal leave. Memo, email, etc.

Sick time used for whole day absences per policy.

Monthly reports available through Executime if Commission desires review of leave time taken.



Questions?

