

Exempt versus Non-exempt

Roosevelt University is committed to best practices in human resources management which includes following the law. The United States Department of Labor oversees compliance of the Fair Labor Standards Act. (<http://www.dol.gov/esa/whd/flsa/>). FLSA addresses issues including minimum wage, overtime pay, record-keeping and youth employment. The phrase *exempt* refers to employees who are not covered under the umbrella of FLSA. *Non-exempt* employees are those covered under FLSA.

At Roosevelt University, all full- and part-time clerical employees, safety and operations, part-time hourly employees (including Federal Work Study students), and all non-benefited ATRU employees are *non-exempt*. Executives, most administrators, full- and part-time faculty, graduate assistants, research assistants and associates, and resident assistants (RAs) are *exempt* employees.

In terms of hours worked there are significant differences between *exempt* and *non-exempt* employees. *Non-exempt* employees are paid for the hours they work and must be paid overtime wages for all hours worked in excess of 40 in a work week. *Exempt* employees do not track the number of hours worked and do not get paid overtime. That is because they are paid to get “work” completed, not paid by the hour.

In practical terms, *exempt* employees are likely to have more flexibility in terms of hours worked and may or may not get a lunch break each day. It is important that *non-exempt* employees take their break and meal periods away from their desks. Because there is a clear distinction between “work hours” and “off hours” for *non-exempt* employees, blurring the two violates the Fair Labor Standards Act.

The Illinois Department of Labor mandates that employees who work 7.5 continuous hours or more shall be provided an unpaid meal period of at least 20 minutes. The meal period must be given to an employee no later than 5 hours after beginning work.

Another difference relates to the issue of travel and hours worked. When asked to work at a location other than one’s primary campus, *non-exempt* employees are compensated for their travel time.

The policies, benefits and procedures described herein do not constitute an offer of an employment contract or an employment contract. These policies and procedures may be modified without notice at any time at the discretion of Roosevelt University leadership. From time to time sections of this document will be revised and updated and other materials from Human Resources will become natural additions or supplements to it.

These policies are prepared for consistency in application throughout Roosevelt University regardless of department or area. Any requests for changes, deviations, or exceptions are to be directed to the Vice President of Human Resources, Roosevelt University, 430 South Michigan Avenue, Chicago, Illinois 60605-1394. Direct phone: 312.341.6952 or e-mail hrquestions@roosevelt.edu.