



FLSA Updates from Human Resources

Beginning last May, the Human Resources and General Counsel departments have been engaged in conversation and preparations with campus units, supervisors and employees for the December 1 effective date of the Department of Labor's Fair Labor Standard Act (FLSA) Final Rule governing overtime pay.

In a campus communication last week we advised that the Eastern District Court of Texas had issued a preliminary injunction halting the implementation of the Final Rule. The order issued by the court applies nationally and means that the Final Rule will not go into effect December 1, 2016. It is expected that the Department of Labor will quickly appeal this ruling. However, it is uncertain when the legal challenges to the Final Rule will be settled allowing employers to determine a specific plan moving forward.

Due to these recent developments, the following approach will be taken by the University:

- Intended salary increases for FLSA purposes only **will be on hold**. Once the legal challenges to the Final Rule are resolved, the university will determine next steps.
- Employees who received notice in November of a change to the exemption status can disregard that information until further notice. This means that, for the time being, those employees **will remain exempt** and are not required to complete timesheets, nor are they eligible for overtime pay or compensatory time.
- The classification work currently being conducted by the Classification and Compensation unit in Human Resources will continue. This will help ensure that the university is ready when the challenges to the Final Rule are resolved.

Human Resources is appreciative of the partnership and amount of work undertaken by our colleagues at the university to prepare for the implementation of the Final Rule. The work that has been done places us in a good position to comply with what may ultimately result and has led to many positive outcomes regardless of the ultimate conclusion of the Final Rule. Human Resources will communicate any additional developments. Please direct questions to Mark Bercheni (ext. 5606) or Jeanne Durr (ext. 5600).

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