



January 25, 2017

CAUS – Dean's Office
Overtime Procedures

Exempt employee status

Exemption refers to whether or not a position is "Exempt" from the provisions of the FLSA (Fair Labor Standards Act). With this in mind, there are two main categories or positions under FLSA:

- Non-Exempt – overtime eligible and subject to the provisions of the FLSA
- Exempt – not eligible for overtime and exempt from the provisions of FLSA

The FLSA requires that employees in non-exempt positions be compensated at time-and-one half rate (overtime rate) for all hours worked over 40 in the work week (Saturday 12:00 am – Friday 11:59 pm). Compensation may be in the form of leave or actual pay, at the employer's discretion. Guidelines for the Fair Labor Standards Act can be found at <http://www.policies.vt.edu/4320.pdf>.

FLSA law requires that for a position to be considered Exempt, the position must meet both the salary basis test and the job duties test. Additional information can be found on the HR website. <http://www.hr.vt.edu/compensation/compmtg/overtime/>

Internal Procedures

Documentation for overtime should be pre-approved by an employee's supervisor in the form of an email as soon as overtime is expected. Overtime should not occur unless pre-approved in writing by the employee's supervisor. The email notification should document the date, the expected amount of overtime, and the reason or activity for which the overtime is being incurred. Overtime is not approved until the supervisor response is received.

Leave reports reflecting overtime should be printed at the end of the reporting period and accompanied by the supporting approval documentation (email). This information will be kept on file by the area leave representative for five years after the end of the fiscal year as identified by the university records retention policy.