

Non-Exempt vs. Exempt Employee

Attendance
<i>Normal Operating Hours: applies to both Non-Exempt and Exempt employees.</i>
The normal work schedule and expected hours of employee availability for most full-time Cal Poly Pomona management and staff employees is 40 hours/week, Monday through Friday, from 8:00 a.m. to 5:00 p.m. with a one-hour meal period. University offices are expected to be open to provide services during these normal operating hours.
<i>Exceptions to Normal Operating Hours: applies to both Non-Exempt and Exempt employees.</i>
Exceptions to the normal work schedule of Monday through Friday, 8:00 a.m. to 5:00 p.m. are subject to the University's unique operational needs. For example, in the summer, employees are assigned a 4/10 work schedule of Monday through Thursday, 7:00 a.m. to 6:00 p.m. as the normal work schedule. Also, some departments/employees may have permanent irregular work schedules, other than Monday through Friday 8:00 a.m. to 5:00 p.m., as their normal schedule to meet operational needs e.g., Police Officers and Custodians. Deviations from the department's normal work schedule require an approved Alternate Work Schedule for both Non-Exempt and Exempt employees.
Rest and Meal Periods
<i>Rest Periods: applies to both Non-Exempt and Exempt employees.</i>
Rest periods/breaks of five (5) to twenty (20) minutes are counted as hours worked. Bona fide meal periods of 30 minutes or more are not counted as hours worked. <ul style="list-style-type: none"> • Employees working less than 4 uninterrupted hours are not entitled to a break. • Employees working an uninterrupted 4-hour work period may take one paid 15-minute break. • Employees scheduled to work at least 5 uninterrupted hours are required to take 30 to 60 minutes of an <u>unpaid meal break</u>. • Employees working a full 8-hour day may take two paid 15-minute break periods a day for a total of not more than 30 minutes, in addition to a 30 to 60 minute <u>unpaid meal break</u> near the middle of the work day. • Unused breaks are not cumulative or eligible for extra pay.
<i>Meal Periods: applies to both Non-Exempt and Exempt employees.</i>
<ul style="list-style-type: none"> • Meal periods are normally 1 hour, but by mutual agreement and based on operational needs of the department, an employee may take a minimum 30-minute meal period. • HEERA Managers may determine when breaks and meal periods are to be taken. Employees must be provided a meal period near the middle of the work day.
Attendance Notification and Reporting
<i>Absence Notification: applies to both Non-Exempt and Exempt employees.</i>
All known absences, late arrivals, and early departures need HEERA Manager approval in accordance with department procedures. For unplanned same day absences, employees are to report to the HEERA Manager in accordance with department procedures prior to the start of the workday. Requests for any time away from the department, whether full day or partial, must be made with as much advanced notice as possible, in compliance with the applicable collective bargaining agreement. Refer to your department Timekeeper for department absence reporting procedures.
<i>Absence Reporting: applies to both non-exempt and exempt employees.</i>
<ul style="list-style-type: none"> • All staff and management are required to document their time each pay period in Absence Management through Bronco Direct. • Employees who do not take any time off during the pay period must report "No Leave Taken" in Absence Management.

Non-Exempt	Exempt
<ul style="list-style-type: none"> • Work hours must be tracked and maintained for Non-Exempt employees for the purpose of work hours, pay, leave accounting and for reporting excess/deficit hours. • Docks in pay, Sick leave and Vacation in increments less than a whole day are permitted. <ul style="list-style-type: none"> ○ Sick and Vacation – may be charged in no less .5 hour increments ○ CTO – may be charged in no less .25 hour increments ○ Docks – may be charged .10 hour increments 	<ul style="list-style-type: none"> • Work hours are documented and maintained for Exempt employees. When it is necessary for employees to work extended hours, managers may authorize documented informal adjustments in work hours within the same work week. • Exempt employees may be assigned a work schedule and attendance requirements without jeopardizing the Exempt status. • Docks, Sick leave, Vacation and Holiday credit are taken in whole day increments. However, if the Exempt employee is on FMLA leave, earned leave credits may be taken in less than full-day increments per the applicable collective bargaining agreement.
Overtime	
<ul style="list-style-type: none"> • Overtime must be paid for hours worked in excess of 40 in a workweek. The overtime rate is time and one-half times the “regular rate of pay” as defined by the FLSA. • Workweek is defined as Sunday 12:01 a.m. to Saturday 12:00 midnight. • Pursuant to CSU policy and collective bargaining agreements, Holiday, Sick and Vacation leave pay are considered hours worked for the purpose of overtime calculation. 	<ul style="list-style-type: none"> • Exempt employees are expected to accomplish assigned work without regard to the number of hours worked in excess of 40 in a workweek. If Exempt employees need to work extra hours in the business day or week, they <u>do not</u> receive overtime unless otherwise permitted by a collective bargaining agreement.
Compensatory Time Off (CTO) – Time off with pay in lieu of overtime pay	
<ul style="list-style-type: none"> • Non-Exempt employees can earn CTO in lieu of paid overtime at the rate of time and one-half for time worked in excess of 40 hours in a workweek. • Part-time employees <u>must be paid</u> at their regular straight-time rate for hours worked in a workweek over the assigned part-time time base, but less than the 40-hour-per week overtime threshold. • Employees who have accrued the maximum CTO hours, as defined by their collective bargaining agreement, must be paid overtime for any additional overtime hours worked. 	<ul style="list-style-type: none"> • Exempt employees are expected to accomplish assigned work without regard to the number of hours worked in excess of 40 in a workweek. If Exempt employees need to work extra hours in the business day or week, they <u>do not</u> receive CTO unless otherwise permitted by a collective bargaining agreement.

Need to find out whether you are a Non-exempt or Exempt Employee?

Please refer to your appointment letter or contact Payroll Services at 909.869.2233 or payrollservices@cpp.edu.

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Fair Labor Standards Act (FLSA) Definitions

Non-Exempt Position – A position subject to the minimum wage and overtime pay provisions of the Federal Fair Labor Standards Act. (Meaning you are able to receive overtime pay).

Exempt Position – A position that is exempt from the overtime provisions of the Fair Labor Standards Act that governs overtime, minimum wage and other wage and hour laws. Exempt employees are not required to adhere to time recordkeeping for pay purposes and unless otherwise superseded by the respective collective bargaining agreement, are not paid overtime for hours worked. (Meaning you are not able to receive overtime pay).