



2016 FLSA *(Fair Labor Standards Act)*

Frequently Asked Questions About FLSA Change

Does the change in pay schedule affect my direct deposit?

Any direct deposit authorizations you have set up will continue after your pay frequency changes. However, if you have any fixed-dollar amounts being sent to a financial institution each pay date, you may want to adjust the amount. For example, if you currently have \$50 per paycheck deposited to a savings account (\$50 per month total on your currently monthly pay cycle), you may want to lower the dollar amount. Starting December 16, you will be paid at least two times per month, so you'd be sending \$100 per month to savings if you did not lower the per-paycheck amount. If you know the annual amount you want to save, divide the total by 26 (the number of checks you will receive each year) and you will have the new per-paycheck fixed-dollar amount.

How will my payroll deductions be affected?

Deductions for non-exempt employees are taken as follows (see table). For instance, if your medical insurance co-premium is \$60.16 per month, the first two checks of each month will have \$30.08 deductions taken from each to cover your total monthly contribution to medical insurance.

Deductions Taken From Every Paycheck (26 per year)	Deductions Taken from First Two Paychecks per Month (24 per Year)	Deductions Taken from the First Pay of the Month Biweekly & Monthly (12 per Year)
Basic Retirement Plan Contribution	Health Plan	Gifts/Donations to the University
Supplemental Annuity Retirement	Dental Plan	
Garnishments	Vision Plan	
Tax Levies	Life Insurance	
Friend of the Court deductions	Supplemental Life	
	Dependent Life	
	HSA Contributions	
	FSA Contributions	

Will the change in pay frequency impact my retirement plan contributions?

If you have opted for a set percentage to be taken out, it will automatically adjust to deduct according to your new biweekly pay rate.

If you have opted for **a flat dollar per pay, you will need to complete** a new form to adjust the amount per pay period. Changes can be made by visiting the human resources office.

I want my creditors to change my billing cycles so everything isn't due at the end of the month anymore. What if my creditors want proof that my pay dates have changed before they will change my billing cycles?

The university will provide you with a letter confirming that your pay cycle has changed if you need verification for any of your creditors. If you need a letter of verification, please contact your human resources representative.

Once I start getting paid on a biweekly basis, will I still get paid if I don't submit my time report on time?

New Hourly Employees:

You must begin clocking in and out for all hours worked **beginning December 1st**. Instructions for clocking in and out available on the AU website at <http://anderson.edu/uploads/hr/web-clock-instructions.pdf>. Your supervisor will be responsible for recording any scheduled time out to your timesheet (Earned Time Used, Jury Duty, Bereavement, Sick Leave Reserve and other) so make sure you notify them of any time used.

Salaried but reporting for Overtime Purposes:

You must report hours worked and exception time (time off and overtime) for each biweekly pay period before the pay period cutoff. If an unusual event occurs and you are unable to submit your time report before the deadline, you will be paid for your base hours. However, the Payroll Office will not be able to process exception time without your time report. Any exception time will be processed in a future weekly or biweekly payroll. Therefore, you need to submit biweekly time reports prior to the cutoffs to avoid a delay in pay for all hours worked within the pay period and to ensure your leave balances are up-to-date.

Can non-exempt employees have flexibility in their work hours?

Yes. Special or alternate scheduling is allowed within the same workweek. For example, if you normally work 8 hours a day, and have a personal appointment on Monday that only allows you to work 6 hours, you and your supervisor can agree that you will make up the time later in the same workweek. Another example would be if your typical schedule is 8 hours a day during the day, and your department needs you to work a special event for 4 hours during the evening. Your schedule may be changed to give you 4 hours of time off at another time during the same workweek. Note: Special or alternate schedules must be within a single workweek.

Does time spent answering emails or using a mobile phone for work outside of normal hours count towards overtime?

For non-exempt employees who respond to emails or calls outside of normal work hours or while on lunch breaks on a “regular” basis, that time is counted as work time for overtime purposes. If a non-exempt person responds to emails or calls “very occasionally,” then court cases have considered that to be “de-minimis” and therefore not counted for overtime purposes. However, supervisors have discretion to establish overtime approval processes. If an employee continues to work overtime without supervisor approval, then the supervisor could begin taking possible disciplinary action with the employee.

What if I work on my lunch break?

Departmental lunch breaks, when unpaid, are at least 30 minutes (uninterrupted) and are scheduled by the department. During this time, a staff member cannot be required to continue to perform job duties unless he or she is paid for the work time. When the lunch period is a paid portion of the regularly scheduled work day, it can't exceed 20 minutes. In these cases, staff members are expected to eat lunch as time and work schedule permit.

Can a supervisor require overtime?

Yes, overtime can be required. Supervisors are encouraged to give as much notice as possible to staff members.

Can I waive overtime as a non-exempt employee?

No, employees don't have the option of waiving the legal requirements.