

To All FAU AMP Employees:

As you may be aware, the U.S. Department of Labor has issued rules that become effective January 1st, 2020, raising the minimum weekly amount that certain categories of salaried employees must be paid to be exempted from an employer's obligation to pay overtime to employees who work in excess of forty (40) hours in a workweek. With respect to certain categories of salaried AMP employees, that minimum weekly amount will be \$684.00 (before taxes and other deductions), effective the first day of Pay Period 2, on December 28th, 2019.

Attached are FAQs regarding the change to the rules. Please review this information and contact Michael Davis – SPHR, Assistant Director, Compensation & Benefits at michael.davis@fau.edu with any specific questions.

Sincerely,

Marie Mascaro

Interim Assistant VP – Human Resources

FLSA FAQs

Q: What do the new rules require?

A: Beginning January 1, 2020, salaried employees in certain AMP and OPS exempt (26.1 Annual) positions, whose job duties result in compensable work hours in excess of forty (40) per workweek, will receive a minimum annual salary of \$35,704.80 (before taxes and other deductions), or will be reclassified as non-exempt employees, requiring time entry, and receiving overtime premium pay for compensable time in excess of forty (40) hours per workweek. Salaried OPS exempt employees compensated on a weekly basis (less than 26.1 Annual) will receive a minimum of \$684 per week or will be changed to non-exempt, requiring time entry and receiving overtime premium pay for compensable time in excess of forty (40) hours per workweek.

Q: Are teaching faculty affected by the new rule?

A: No. Faculty whose job duties teaching, tutoring, instructing or lecturing are not subject to the minimum weekly salary amount specified by the new rule.

Q: If I am an AMP salaried or OPS Exempt employee with a current salary of less than \$684.00 per week (before taxes and other deductions), will my pay rate or pay structure change on January 1, 2020?

A: Yes.

(1) Employees may be converted to an hourly position in which work hours will be tracked, and for which the employee will receive overtime premium pay for hours worked in excess of forty (40) per workweek; OR through supervisory discretion and departmental budget (2) the employee's weekly salary may increase to \$684.00 per week / \$35,704.80 per year (before taxes and other deductions).

Any changes will be made solely on the basis of the employee's job duties and responsibilities and/or other operational considerations, and will not be based on the employee seniority, job performance, or any other individual qualities of the employee himself or herself. Accordingly, no employee should consider any change to their pay rate or pay structure made as a result of this new rule to reflect any view of the value of that employee's contributions to the University community.

Q: Does my title alone determine whether I will be impacted by the new rule?

A: No. Job duties and responsibilities are the primary factors which determine whether an employee is impacted by the new rule.

Q: When will I have to start entering time if I am moved to an AMP or OPS Non-exempt position?

A: Beginning in Pay Period 2 for time worked on December 28th, 2019.

Q: Will the new rule and any changes to my pay or pay structure be explained in more detail?

A: Yes. Managers will attend training sessions beginning in December, 2019. Employees affected by these changes will be notified prior to any change becoming effective, and employees who were not previously asked to keep time records will receive training on how to do so before January 1, 2020.