

<b>HUMAN RESOURCES MEMORANDUM 04-009</b>		DATE ISSUED: 06/22/2004
SUBJECT: <b>PAL ENTRY FOR WORK WEEK GROUP FLSA EXEMPT (E/SE) EMPLOYEES</b>		REFERENCE: None
TO: DIRECTOR, DEPUTY DIRECTORS, OFFICE/BRANCH CHIEFS EXECUTIVE STAFF		SUPERCEDES: HR Memo 99-011

**PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES**

**Change of Work Week Group Designation**

The work week group (WWG) designation of employees exempt from the Fair Labor Standards Act (FLSA) has been changed from WWG 4C to WWG E or SE.

**Definition of Work Week Group (WWG) E Employees**

WWG E employees include classes that are exempted from coverage under the FLSA because of the “white-collar” (administrative, executive, or professional) exemptions. To be eligible for this exemption a position must meet both the “salary basis” and the “duties” test as follows:

- Employees are paid on a “salaried” basis with an average work week of 40 hours.
- The salary threshold is \$455.00 or more per week (\$23,000 annually).
- The regular rate of pay is full compensation for all hours worked to perform assigned duties.
- Employees shall receive up to 8-hours holiday credit when authorized to work on a holiday.
- WWG E employees shall not receive any form of additional compensation, whether formal or informal, unless otherwise provided by the provisions of this work week group.

Consistent with the “salaried” nature of a position, an exempt employee:

1. Shall not be charged any paid leave for absences in less than whole day increments.
2. Shall not be docked pay for absences of less than a whole day.
3. Shall not be subject to a disciplinary action suspension in less than full week increments unless there is a violation of a major safety rule; and
4. Shall not be required to document hours worked for payroll purposes.

For rank and file employees in WWG E, the appropriate collective bargaining agreement has specific provisions that may address provisions not contained in the above definition.

**Definition of WWG SE Employees**

- WWG SE (Attorneys, Physicians, and Teachers) applies to classes and positions with an average work week of 40 hours.
- The regular rate of pay is full compensation for all time that is required for the employee to perform the duties of the position.
- Employees shall receive up to 8 hours of holiday credit when ordered to work on a holiday.
- Hours worked in excess of the average work week are not compensable, and shall not be deemed overtime.
- If an employee is not required by the appointing power to work a normal work day or part of a work day, the employee shall receive the regular rate of pay without deduction for the entire pay period.

## **PAL Entry**

- The departmental policy for WWG E/SE employees is to report actual time expended by project. PAL hours entered in excess of a 40-hour workweek will not initiate an overtime payment.
- Leave is to be charged in \*8 hour increments only for all E/SE employees (this includes managers, supervisors, and rank and file employees in BU's 1, 2, 4, 9, 10, 11, 14 and 15). Different types of leave may be used to total a full day (i.e. 4 hrs ITO and 4 hrs vacation).
- PAL validations are being developed that will prevent a WWG E/SE employee from earning excess hours or charging less than \*8 hours of leave credits.

\*Part time employees charge in full day increments according to their time base (i.e., ¾ time, 1 day = 6 hours).

## **Alternate Work Week**

- Formal alternate work schedules cannot be approved for E/SE employees.
- E/SE employees are precluded from earning of "excess" hours and shall not be entered into PAL.
- Flexible work schedules mutually acceptable to the employee and the supervisor are allowable. E/SE employees on informal Alternate Work Schedules should not use the RDO alias in PAL.

## **Workers' Comp and NDI Claims**

- Time pending worker's compensation and NDI claims may be charged in less than full day increments, however, the appropriate 'NDI' or 'X' alias must be used to bypass the PAL validations.

## **Billable Work Hours**

- There is no violation of FLSA for recording time for cost distribution purposes.
- Employees can post as many billable hours in PAL as they actually incur along with any indirect hours for human resources, fiscal services, business services, general administration, training, or information technology activities.

## **Questions**

If you have any questions regarding this memorandum, please contact your assigned Personnel Specialist or Personnel Supervisor.

Lynn Catania, Manager  
Personnel Operations

cc: Personnel Liaisons  
Attendance Clerks  
OHR Staff