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| <b>HUMAN RESOURCES MEMORANDUM 07-024</b>   |  | DATE ISSUED:<br>09/25/2007             |
| SUBJECT:<br><b>PAL ENTRY FOR FMLA, IDL, and NDI WORK WEEK GROUP<br/>FLSA EXEMPT (E/SE) EMPLOYEES</b> |  | REFERENCE:<br>None                     |
| TO:<br>DIRECTOR, DEPUTY DIRECTORS, OFFICE/BRANCH CHIEFS  |  | SUPERCEDES:<br>HR 99-011;<br>HR 04-009 |

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

**Introduction**

This Human Resources Memorandum discusses the FMLA Global Aliases for FLSA exempt employees. In addition, it is reminding our exempt employees that we have global aliases for NDI and Workers' Compensation. These aliases allow PAL entry in less than full time increments.

**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 (\$23,660 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 hours ITO and 4 hours vacation).
- PAL validations have been developed that will prevent a WWG E/SE employee from earning excess hours or charging less than 8 hours of leave credits. Exceptions include reporting less than 8 hours due to FMLA, Workers' Compensation (IDL) or Non-Industrial Disability Insurance (NDI).
- If a full-time/part-time employee's work hours are temporarily reduced by a physician to less than a full day (regardless of time base), and the employee wishes to receive full pay, he/she must use paid leave to make up the difference.

NOTE: Part time employees (who work partial days) charge in full day increments according to their time base (i.e.,  $\frac{3}{4}$  time, 1 day = 6 hours). Please refer to the Global Leave Aliases List for the new FMLA aliases on the [PAL website](#).

### **FMLA, 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 FMLA, NDI, or Workers Comp "X" alias must be used to bypass the PAL validations. Each of these benefits has a maximum cap which requires time to be tracked.

### **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.

### **Inappropriate Employee Job-related Information**

- 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 questions, contact your assigned Personnel Specialist or Personnel Supervisor.

/s/

MARIA J. LOPEZ, Manager  
Personnel Operations Section

cc: Personnel Liaisons  
Attendance Clerks  
OHR Staff