Frequently Asked Questions Related To Parish Conversion to Non-Exempt Status

Q) What are the policies that managers and employees should be aware of that are unique to non-exempt employees?

Most questions can be addressed by first considering the relevant policies outlined in the Parish Human Resource Manual. The following sections should be reviewed by managers and employees converting to non- exempt status (use this link to access):

Compensatory Time: HR 47 a and b

Holidays: HR 70

Volunteer Activities: HR 87

Wages: HR 88

Training: HR 92b and c

Work Schedules 55a and b

Breaks and Rest Periods: HR 99 and 100

Telecommuting: HR 107

Travel: HR 109

Voluntary Termination: HR 110

Appendix: Non-Exempt Positions

Q) Is it possible to adjust someone's work schedule to avoid paying overtime?

Yes, if it is in the same work week (a work week is defined as hours worked between 12:00 am Sunday and 11:59 pm Saturday).

Q) Is it possible to adjust someone's work in the same pay period to reduce the impact of paying overtime?

Yes, if the overtime is earned in the first week of a pay period, the employee's schedule for the second week could be reduced to offset the cost of the overtime provided the person's earnings don't drop below their normal level. In this case they would be paid overtime for the first week, but their total earnings would remain the same over the course of the pay period.

Q) What if it is necessary to authorize overtime, but there is no money budgeted for it?

All overtime must be paid regardless of budget. The cost for overtime should still be captured in the department expenses but explained as an unplanned budget variance for this year (assuming steps were taken to control overtime). This will create a way to project overtime costs for the next budget as well as help determine if staffing or workload is correct.

Q) What should be done if it is discovered that an employee has worked unauthorized overtime?

By law, all overtime must be paid but there must be a discussion or reminder about the policy requirement for overtime to be authorized in advance. Please consult with Human Resources if an employee continues to violate this policy, since disciplinary action may be necessary.

Q) What if an employee is working at a retreat or camp that involves overnight stay?

Steps should be taken in advance to establish rules or guidelines for on- the-clock versus off-the-clock activity (suggest referring to whatever policy here where it breaks it down in more detail for them). Eating, sleeping, personal time, etc are not compensable, while responding to an emergency is. This can be controlled by delegating unplanned events to an exempt employee or designating one nonexempt employee to be on call (for which they would be paid while handling an issue).

Q) What if an employee seems to not be able to get the work done in 40 hours per week?

There are a variety of considerations for why this might be the case including job responsibility creep, excessive volume or amount of work, inefficient workflow, improper tools or failure to use automation, poor time management, medical issues or unclear expectations. It is best to consult with HR to conduct an analysis and determine the best way to address the issue.

Q) What if an employee has a routine where they leave work early to pick up their kids at school but then sign on later to complete their work…is this allowed?

Non-exempt employees must account for any time away as part of the attendance record. This limits the amount of flexibility that can be allowed. In this case, allowing this would create a potential systems record indicating the employee is owed overtime. Therefore, if an arrangement is in place for an adjusted work schedule, managers must have clear, documented expectations for the employee to follow this schedule. In this example the schedule may reflect in office work from 8am-3pm, with an unpaid break in their timecard

from 3pm-4pm and then scheduled work time at home from 4pm-6pm. This must be clearly documented in writing for clarity and communications purposes.

Q) What if my former salaried/exempt employee needs to go to the dentist?

For any medical, dental or personal time away from work, they will now enter the amount of sick time needed for the appointment in Paycom, so they are made whole for the day since all time now needs to be accounted for.

Q) My employees always eat lunch at their desk and work while they eat; can they keep doing this if I pay them?

No, they must take their meal away from their desk (and work phone) or at a minimum not work while on their lunch break. If they are simply asked a work question, they are entitled to an additional uninterrupted meal period (of at least 30 minutes).

Q) Do I have to schedule the morning and afternoon rest breaks?

If your employee has the freedom to get up to stretch, get a cup of coffee, go to the bathroom then you don't need to schedule a break, but the total amount of break time must add up to 15 minutes in the morning and 15 in the afternoon for an eight-hour day.

Q) What should be done if an employee's timecard does not reflect the actual time worked?

The manager is ultimately accountable for the accuracy of timecards and should never approve an inaccurate record. It must be rejected and returned to the employee for correction.