



All positions are categorized either exempt or non-exempt based on the interpretation of the wage and hour provisions of the Fair Labor Standards Act, (FLSA). FLSA is a federal law that sets forth rules regarding compensation, working hours, and other employer/employee issues.

“Exempt” employees are paid on a salary basis and are not eligible for overtime, compensatory time, and/or other additional wage and hour provisions of FLSA. Exempt employees are expected to devote a minimum of 40 hours a week. The number of hours necessary to complete their duties can mean an excess of 40 hours a week without additional compensations.

“Non-exempt” employees are covered by FLSA requirements. Non-exempt employees must be compensated for any hours worked. If a non-exempt employee works over 40 hours in a standard work week he/she must be compensated with overtime or compensatory time at no less than time-and-a-half.

*References: Fair Labor Standards Act of 1938, 29 U.S.C.A § 201 et. seq; K.A.R. 1-2-42; K.A.R. 1-2-42a; 10.2 Standard Work Week (Regular Work Schedule)*