Guidelines for Nonexempt Employees @ Rice

The Fair Labor Standards Act (FLSA), a federal law enacted in 1938, that:

- Establishes the criteria for a job to be exempt or nonexempt
- Establishes the federal minimum wage required for all nonexempt jobs
- Guarantees overtime for nonexempt jobs for hours worked over 40 in one work week
- Governs the employment of minors

### General Information

- Guidelines for Nonexempt Employees at Rice include key aspects of the Fair Labor Standards Act and Rice University pay practices and policies.
- More information on the FLSA can be found at [www.dol.gov](http://www.dol.gov)
- More information on Rice University pay practices and policies can be found:
  - [people.rice.edu](http://people.rice.edu)
  - [professor.rice.edu/professor/Policies.asp](http://professor.rice.edu/professor/Policies.asp)
- The Rice work week begins at 12:01 am on Sunday and ends at 12 midnight the following Saturday.
- Nonexempt staff employees are responsible for accurately recording and maintaining time records, including their bi-weekly timesheet and time and attendance records.

### Pay Type

- Nonexempt employees are subject to the federal minimum wage ($7.25/hour) and overtime provisions established by the Fair Labor Standards Act (FLSA)
- Nonexempt employees are paid on an hourly basis for all hours worked.
- Hours worked, holidays and benefit time taken are recorded on a timesheet by the employee, approved by the supervisor and paid out on an hourly basis on the bi-weekly (B2) payroll.

### Overtime Payment Requirement

- Nonexempt employees are eligible to receive overtime pay at 1 ½ times their regular hourly rate for any hour(s) worked over 40 in one Rice work week (Sunday-Saturday)
- Overtime should always be approved by the supervisor, preferably in advance.
- For staff who perform work at different rates of pay, the overtime rate is 1 ½ times the weighted average of those hourly rates.

### Rice Pay Practices for Nonexempt Employees

- Nonexempt employees who work on a University recognized holiday and/or are required to work during a campus/weather emergency will receive 1 ½ time their regular hourly rate for hours worked.
- Time actually worked and holidays staff are required to observe are taken into consideration for the purpose of calculating overtime.
- Benefit, bereavement, personal, and recess time are paid at the employee’s regular rate of pay and are not taken into consideration for the purpose of calculating overtime for that work week.
- Under no circumstances is compensatory time (comp time) permitted. Instead, an employee's schedule may be adjusted during the work week to provide time-off in place of working at overtime rates.