1. **What is the FLSA?**

The Fair Labor Standards Act (FLSA) is a federal law that governs whether employees are eligible to receive overtime pay, as well as minimum wage rates, child labor laws and recordkeeping for employees. Murray State is required to comply with the recent changes to FLSA effective December 1, 2016.

2. **Why is the overtime rule changing?**

The Department of Labor published the final rule that changes the current minimum salary threshold of $23,660 to $47,476 effective December 1, 2016. [Click here](#) for more information.

3. **How can I get information that Human Resources presented in the recent information sessions for supervisors and employees?**

The slide presentation used in the sessions, as well as additional FLSA resources, is now available on the HR website [here](#).

4. **Will all positions that are currently classified as exempt (monthly) be evaluated?**

Yes, except for certain positions such as President, Vice President, Dean, Department Chair, etc., that will clearly remain exempt from overtime.

5. **Does this change apply to faculty?**

No, regular faculty positions are exempt from overtime eligibility and will not be reviewed during the position analysis process.

6. **How will my position be evaluated?**

Supervisors must complete a position analysis questionnaire for each position in their department. Employees will also complete an employee position questionnaire form, which will be submitted to HR for review.
7. Can I save and edit the position analysis questionnaire and complete it later?

Yes, until the August 15th deadline for completion. Click here for instructions.

8. If my salary is over $47,476, will I automatically be classified as an exempt employee?

The FLSA requires that a position be paid at the new salary threshold AND that the job duties qualify for one of the exemptions from the overtime requirement.

9. I know at Murray State 37.5 hours per week is “full-time” for most employees. Will overtime be paid for anything over that number of hours for non-exempt employees?

FLSA requires that any time over 40 hours be paid at the overtime rate. Therefore, the time between 37.5 and 40 hours per week would be paid at the regular hourly rate, while any hours above 40 would be paid at the 1.5 overtime rate.

10. How is the hourly pay rate determined if my position changes from exempt to non-exempt?

The basic calculation for determining the hourly rate will be the current budgeted annual salary, as approved by the Board of Regents, divided by the number of budgeted hours per week. Example: An employee whose current budgeted salary is 35,000 who works 37.5 hours per week (1958 hours annually) would be paid an hourly rate of $17.88 after the FLSA changes are implemented.

11. Will my benefits be affected if my position is reclassified? Will my retirement system change?

Eligibility for MSU’s benefits, as well as the retirement systems, is not impacted by the FLSA changes.

12. Will there be guidance on what type of overtime is allowed?

The fiscal impact of the increased overtime costs will continue to be reviewed by the President and the Executive Council so that overtime decisions are made strategically for the University.