

Policies and Procedures

Title

HR Policy No: 20.003

Exempt Pay

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Revised: April 1, 2019

Purpose

To provide guidance on the payment of wages to those employees who are classified exempt as defined by the Fair Labor Standards Act (FLSA).

Applicability

Exempt Employees

Policy

In accordance with the Fair Labor Standards Act (FLSA), exempt employees are paid on a salary basis and may not have their pay reduced for variations in the quantity or quality of work performed. Employees in this classification are paid monthly and are not eligible for payment of overtime.

As a general rule, if the exempt employee performs any work during the workweek, he or she must be paid the full salary amount. Deductions from an exempt employee's pay are not allowed for absences caused by the employer or by the operating requirements of the College. If the exempt employee is ready, willing, and able to work, the College cannot make deductions from the exempt employee's pay when no work is available.

Following are exceptions to the FLSA requirements:

- When an employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- Absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness;
- Offset amounts employees receive as jury or witness fees, or for temporary military duty pay;
- Penalties imposed in good faith for infractions of safety rules of major significance;
- Unpaid disciplinary suspensions of one or more full days imposed in accordance with College policy;
- Deductions for the first or last week of employment if the employee does not work the full week;
- Unpaid leave taken by the employee under the Family and Medical Leave Act (FMLA), the RI Parental and Family Medical Leave Act, or an approved, uncompensated leave of absence.

Responsibility

The associate vice president for human resources, or his/her designee, is responsible for the overall administration of this policy.