Agenda

• Hiring a Supplemental Professional
• FLSA Checklist
• JED Steps
• Additional Actions
Hiring a Supplemental Professional

- Do not give exempt Offer Letters (Fixed Amounts) until Class & Comp has determined whether the job is Exempt
  - Example when speaking to a prospective employee- We have a job that we would like you to perform in the Fall doing xyz. We believe this job is exempt and would expect to pay $5,000 for the completion of this work. If Class & Comp does not determine this job to be exempt, we will discuss what your hourly rate will be once that determination has been made.

- Submit FLSA Checklist to Class & Comp as soon as possible. If the employee is being hired for Fall, you can submit the FLSA Checklist a head of time.

- If you hire someone and they have already started working without a determination regarding FLSA, they would initially be classified as Misc Wage and would be paid at an hourly rate through UD Time.

- They cannot be both exempt and non-exempt (paid a flat amount on a JED/Scont and paid by hours in UD Time)
FLSA Checklist

This form must be completed in its entirety, signed by the Business Officer or Unit HR Manager and forwarded to HR-Classification & Compensation (by e-mail: HR-class@udel.edu, campus mail or fax: 831-1482).

University of Delaware  
Fair Labor Standards Act – Exempt/Non-Exempt Status Checklist

Exempt/Non-Exempt status is based on regulations outlined under the Fair Labor Standards Act. Exemption from the Act is determined by a salary basis test and job duties, which must meet the Department of Labor’s standards for one of the four categories discussed below. See: Department of Labor, Wage and Hour Division, Fact Sheet #17A.

<table>
<thead>
<tr>
<th>Department of Labor, Wage and Hour Division Fact Sheets</th>
</tr>
</thead>
<tbody>
<tr>
<td>#17A <a href="http://www.udel.edu/002210">http://www.udel.edu/002210</a></td>
</tr>
<tr>
<td>#17C <a href="http://www.udel.edu/002212">http://www.udel.edu/002212</a></td>
</tr>
<tr>
<td>#17D <a href="http://www.udel.edu/002213">http://www.udel.edu/002213</a></td>
</tr>
<tr>
<td>#17E <a href="http://www.udel.edu/002214">http://www.udel.edu/002214</a></td>
</tr>
</tbody>
</table>

After reviewing Fact Sheet #17A, please answer the following questions for each worker that, in your opinion, could be classified as exempt. For all jobs, please provide the following:

<table>
<thead>
<tr>
<th>Proposed Job Title:</th>
<th>Employee Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Empl ID (if available):</td>
</tr>
<tr>
<td>Proposed Date of Hire:</td>
<td>Department:</td>
</tr>
<tr>
<td>Semi-Monthly Comp Rate:</td>
<td>Supervisor:</td>
</tr>
<tr>
<td>Contract Dates:</td>
<td>Date Completed:</td>
</tr>
<tr>
<td>Proposed Weekly Hours:</td>
<td>Completed By:</td>
</tr>
<tr>
<td>Comments:</td>
<td></td>
</tr>
</tbody>
</table>

3
FLSA Checklist

Provide information about the job so that HR Class/Compensation can fully understand the job context and compensation.

<table>
<thead>
<tr>
<th>Proposed Job Title:</th>
<th>Employee Name:</th>
</tr>
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</tr>
<tr>
<td>Comments:</td>
<td></td>
</tr>
</tbody>
</table>

Context of position with a brief description of at least three major functions of the job, required minimum education and experience.

Sample:
The position will serve as the Interim Director of a graduate program until a permanent replacement is identified.
• The position will manage and facilitate strategic planning related to a graduate program.
• The position will supervise and facilitate research efforts.
• This position requires a PhD. and experience leading and managing a program.
FLSA Checklist

The completed form must be signed by the College Business Officer or Unit HR Manager.

**Context of position with a brief description of at least three major functions of the job, required minimum education and experience.**

<table>
<thead>
<tr>
<th>Signature (College Business Officer/Unit HR Manager)</th>
<th>Date</th>
</tr>
</thead>
</table>

Please submit the completed form to HR-Classification & Compensation, Office of Human Resources, 413 Academy Street (first floor), Newark, DE 19716. Classification & Compensation will respond to the applicable College Business Officer/Unit HR Manager with a determination of the FLSA status. Note, if the job changes and/or compensation drops lower than the amount indicated for the applicable exemptions, a new checklist must be completed prior to the approval of any change.
FLSA Checklist

Sections within the checklist require a response that is directly related to the specific exemption Administrative, Learned Professional, Creative Professional, or Computer Professional.

A. ADMINISTRATIVE EMPLOYEE. See: Department of Labor, Wage and Hour Division, Fact Sheet #17C. Answer the following to determine whether a worker should be classified as an exempt administrative employee.

1. Is the employee’s primary duty performing office or non-manual work directly related to the management or general business operations of the University or its customers?
   - Yes
   - No
   - Don’t Know

2. Does the employee exercise discretion and independent judgment with respect to matters of significance? That is, does he/she evaluate and compare possible courses of action and then make a decision or recommendation after considering the various possibilities?
   - Yes
   - No
   - Don’t Know

3. Is the employee paid the equivalent of at least $455 per week on a salary basis?
   - Yes
   - No
   - Don’t Know

B. LEARNED PROFESSIONAL EMPLOYEE. See: Department of Labor, Wage and Hour Division, Fact Sheet #17D. Answer the following to determine whether a worker should be classified as an exempt learned professional:

1. Is the employee’s primary duty to perform work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized
FLSA Checklist

Once evaluated by HR Class/Comp, a completed copy will be returned to you for action.

If the position is determined to be Exempt, you will complete a JED for the job. If the position is determined to be Non-Exempt, the individual will continue to be paid through UD Time.

For Office of Human Resources Use Only

<table>
<thead>
<tr>
<th>Determination:</th>
<th>Non-Exempt (process necessary documentation to include in UD Time and pay on an hourly basis)</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Exempt</td>
<td>☐ Administrative</td>
</tr>
<tr>
<td>☐</td>
<td>☐ Learned Professional</td>
</tr>
<tr>
<td>☐ Creative Professional</td>
<td>☐ Computer Professional</td>
</tr>
</tbody>
</table>

Classification & Compensation Date

cc: CBO or HR Manager
    HR Payroll & Records
FLSA Determination- Exempt

• FLSA Checklist will be provided to Records Management by Class & Comp

• Department will need to provide Records Management with the employee’s Offer Letter (this can be scanned and emailed to hrsystemsadmin@udel.edu or to your analyst or sent through campus mail with a support documentation checklist http://www.udel.edu/prm/SupportDoc.pdf)

• Department will need to complete a JED
How to Pay Employees on an Exempt Status

If the employee has been determined to be exempt from FLSA, you will complete a JED to pay them a fixed per pay amount.

- You will use the Supplemental Professional Job Code (4A1001)
- If exempt status was determined prior to start date, you can use the effective date requested
- If exempt status was determined after the employee started working, the effective date of that exempt status would be the following day after the notification (notified by C&C on 1/15/15, effective 1/16/15).
- Supplemental Professionals can have multiple exempt jobs (would need to be deemed exempt by C&C)
- Supplemental Professional can also teach credited courses (teaching would be paid on an S-contract).
JED Completion Steps
(Example is for a Supplemental Professional)
The Action depends on the employee’s current status:

- Currently a Supplemental Professional in the System use “Pay Rate Change” if they are still in the system as Annual with a comp rate of .01 (were never converted back in July 2014)
- If they are not Supplemental Professional use “Data Change”
- If they are being hired use “Hire”
- If they are being rehired use “Rehire”
The Action Reason depends on the employee’s current status:

- **Currently a Supplemental Professional in the System use “Adjustment”**
- **If they are not Supplemental Professional use “Title Change - Permanent ”**
- **If they are being hired use “Miscellaneous/Student Labor”**
- **If they are being rehired use “Miscellaneous/Student Labor”**
HRMS: Manage Workforce
University of Delaware

Job Data (JED)
If you have any questions, please contact Payroll & Systems Administration at (302) 831-8677 or email hrsystemsadmin@udel.edu.

Symbol Key: * Required Information

Employee: ___________________________

Position Information

Job title: Supplemental Professional (4A1001)
Check delivery: 1920 Recreation & Intramurals (1920) (lookup)
Supervisor: * 164 Evans, Catherine M (164) (lookup)
HR liaison: * 192 Stacy Truitt (27431) (lookup)
EM group: ___________________________
Directory indicator: Listed No Address or Phone
Works in Wilmington?: No
Room: 134
Location: * NNB7 Carpenter Sports Building (NNB7) (lookup)
Department: * 01921 Recreation Services (01921) (lookup)
Estimated hours: 22
Salary admin. plan: Supplemental Professional (205)
Salary grade: ___________________________
FTE: (between 0 and 1.0) 1
Union code: N/A
Union title: N/A
Bargaining unit: None
Union seniority date: ___________________________

Enter Estimated Weekly Hours

Always 205

Click Next Step
Choose Off-Campus Exempt Pay (OCE)
Choose those the form is to be routed through

Acknowledge the FLSA exemption approval
Show calculation of how you determined the per pay amount

Click Next Step
HR Liaison Actions

- If current Contract is ending, do one of the following actions:
  - Complete a JED if the current contract is extending. Department will need to provide a reappointment/extension letter.
  - If the employee will have a different contract that you believe is exempt, submit an FLSA Checklist to Class & Comp to review. If job is determined to be exempt, process a JED to update information to reflect the new contract.
  - Complete a JED to Terminate if employee will no longer be working
  - Complete a JED to put employee on Unpaid Leave – this should only be done if you know that the employee will not be working but will be coming back to work within a 6 month period of time. You will have to do a return from leave JED to put them on an active paid status when they return. If their job has changed you will need to complete and submit the FLSA Checklist to Class & Comp.
  - Complete a JED to change the employee to Misc Wage and convert them to hourly
HR Liaison Actions - Extending Contract or New Assignment Deemed Exempt

• If extending the original contract or if this is a new assignment that has been deemed exempt, use Action:
  • “Earnings Distribution Change” if comp rate is not changing
  • “Pay Rate Change” if comp rate is changing
If extending the original contract or if this is a new assignment that has been deemed exempt, use Reason:

- “Extend Funding Date” if comp rate is not changing
- “Adjustment” if comp rate is changing
If extending current assignment or starting a new assignment, only need to update contract period and contract end date (unless entering a new Fiscal or Academic year).
HR Liaison Actions - Extending Contract or New Assignment Deemed Exempt

If there is a Pay Rate Change, update the comp rate.

Update Funding End date.

You can also update the funding information if needed.
HR Liaison Actions- Extending Contract or New Assignment Deemed Exempt

Note if you are extending an existing assignment or if this is a new assignment. Acknowledge Class & Comp deemed assignment exempt, include date of determination. If this is an existing assignment reference the Req ID# from the original JED.
HR Liaison Actions- Termination JED

Effective Date should be the date following the contract end date.

Action would be Termination.

Click Next Step.
HR Liaison Actions- Termination JED

Reason would be Completion of Contract
Do not change anything else on this form, next step to the final page
Then Finish & Submit
HR Liaison Actions- Unpaid Leave JED

Effective Date should be the date following the contract end date.

Action would be Leave of Absence.

Click Next Step.
HR Liaison Actions - Unpaid Leave JED

Action reason would be Other

Enter expected return date

Click Next Step
HR Liaison Actions- Unpaid Leave JED

Note if this is a seasonal assignment. Example- only works the Fall Semester each year

Click Finish & Submit
HR Liaison Actions- Return from Leave JED

Effective Date should be the date following the contract end date.

Action would be Return from Leave.

Click Next Step.
Action reason would be Return from Unpaid Leave

Click Next Step
HR Liaison Actions- Extending Contract or New Assignment Deemed Exempt

Update contract information

Click Next Step
HR Liaison Actions - Extending Contract or New Assignment Deemed Exempt

If there is a Pay Rate Change, update the comp rate. If needed, update the Funding End date. You can also update the funding information if needed.
HR Liaison Actions- Return from Leave JED

- Note if you this is an existing assignment or if this is a new assignment.
- Acknowledge Class & Comp deemed assignment exempt, include date of determination. If this is an existing assignment reference the Req ID# from the original JED.

Click Finish & Submit
HR Liaison Actions- Title Change to Misc Wage JED (If FLSA Assignment is over)

Effective Date should be the date following the end date of the FLSA exempt assignment.

Action is Data Change.

Pay Group needs to be changed to BOT.

Leave as Salaried to show all fields on the JED to be able to update/remove information.

Click next step.
HR Liaison Actions- Title Change to Misc Wage JED

Action reason is Title Change

Update Job Code to a Misc Wage Job Code

Click next step
HR Liaison Actions- Title Change to Misc Wage

JED

Enter the Estimated Hours the employee is expected to be working for this assignment. If they are not currently working you can enter “1”.

Salary Admin Plan needs to be 252

Update this to No Entry

Click next step
HR Liaison Actions- Title Change to Misc Wage JED

Remove all contract information

Click next step
HR Liaison Actions - Title Change to Misc Wage

JED

Choose Hourly
Enter Hourly Rate (must meet minimum wage of $7.75)

Choose By Hours

Enter Hourly Rate

Enter Funding End Date

Class is 000

Click Add Line

Enter Speed Type

Earn Code MWG
HR Liaison Actions- Title Change to Misc Wage

JED

Account Code is 125200

Click next step
HR Liaison Actions - Title Change to Misc Wage

JED