

# RSAM Exempt Status

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## RSAM Exempt Status

Need to align with the Fair Labor Standards Act (FLSA)

Need to appropriately apply University practice on using ½ day increments of PTO for exempt status employees

Need to promote consistency with the contract's definition of overtime and the eligibility for the overtime premium



# RSAM Nurses

Per paragraph 83A RSAM Nurses are considered to be exempt.

- This means their PTO should be recorded in half day increments (instead of an hourly basis).
  - ½ day increments based on scheduled shift length e.g., 8 hours = 4 hour increments; 10 hours = 5 hour increments; etc.

RSAM nurses are eligible for overtime per paragraphs 143-145.

# ½ Day Increments

Employee must still receive approval prior to leaving work early or arriving late using the appropriate notification processes.

- PTO pay is based upon ½ day increments. (based on scheduled shift lengths)
- Health Care appointments and approvals still based on P333T with the schedule development periods.
- Time paid but not worked is still recorded and may be used in attendance management as appropriate, regardless of pay.
- New code for ‘Regular Hours Not Worked’ has been developed for use.



# Overtime: FLSA

The 8/80 rule only applies to those who work 8 hr. shifts:

- If an employee is using the 8/80 rule and works over 8 hrs. in a day, the additional time must be paid at the overtime rate.
- No OT is worked/paid if an additional 8 hour shift is worked in one week with one less 8 hour shift in the other week of a bi-weekly pay period (e.g., 32 hours/48 hours = 80 hours)
- The 8/80 rule must be part of the employee's regular schedule for a determined amount of time and cannot be used on an intermittent basis.



## Paragraph 147: 24 Hour Clock Rule

To accommodate an employee's schedule request, the OT premium will be waived provided there are 7 hrs. between end of one shift and beginning of the next shift (e.g., start a 8:00 am for 8 hr. shift, start at 7:30 next a.m., results in 30 minutes OT unless by employee request)

Needs to be an employee request.

Self-scheduling staff, who schedule themselves in this manner, waive OT premium related to the start time (24 hour rule), as a schedule via self-scheduling is considered as an employee request.

# Scenarios for Paid Time

# Scenario #1

- Employee A is scheduled and works 8 hours per day M-F and on Thursday the employee works an additional 2 hours to tend to patient care needs. The employee volunteers to work 2 hours less on Friday. Because of low patient care demands on Friday, the manager grants the 2 hours off under the assigned time off language (paragraph 164A) and the employee chooses to take 2 hours of approved no pay.



# Answer for Scenario #1

- Framework Nurse: Is paid 38 hrs of regular time (REG), 2 hrs of excused time without pay (ETW) and 2 hrs of overtime premium (OTP)
- RSAM Nurse: Is paid for 40 hrs of regular pay (REG) and 2 hrs of overtime premium (OTP).
  - The employee would get 8 hrs for Friday. PTO is not recorded for the RSAM nurse because PTO is paid in ½ increments.



# Scenario #2

- Employee B is scheduled to work four 10-hour shifts per week. He/She worked 12 hours on Tuesday.

# Answer to Scenario #2

- Framework and RSAM Employees would both be eligible for 2 hours of overtime premium.

# Scenario #3

- A RSAM-CCC comes into work and works 2 hours then needs to leave emergently. They were scheduled to work 8 hours that day.



# Answer to Scenario #3

- The RSAM nurse is paid 2 hours of regular pay and 2 hours of 'regular hours not worked' and then uses 4 hours of unscheduled PTO.

# QUESTIONS

