

BLAIR COUNTY POLICY



**TITLE: EXEMPT STATUS
SALARY EMPLOYEES**

BLAIR COUNTY POLICY NO.: 201

POLICY APPROVAL BY:

COMMISSIONERS:	Initials	Date
Terry Tomassetti	TT	6-2-07
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HR DIRECTOR:		
Dianne Carland	DC	6/2/09

1.0 PURPOSE

- 1.1. The Fair Labor Standards Act is a federal law which requires at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. It also provides for exempt pay status when certain conditions of employment are met. Exempt employees are not entitled to overtime. It also prohibits deductions from the wages of exempt salary employees, except in certain circumstances. The purpose of this policy is to outline the requirements of exempt pay status.

2.0 POLICY

- 2.1. It is the policy of Blair County to pay our exempt employees accurately and in accordance with all applicable state and federal laws. Therefore, we prohibit all managers from making any improper deductions from the salaries of exempt employees. In the event that we make an error in the processing of the payroll of an exempt employee, we will make corrections promptly after we become aware of it.

3.0 SCOPE

- 3.1. This policy applies to all exempt level employees.
- 3.2. Job titles do not determine exempt status. To be classified as exempt, the position must meet certain tests as defined below.
 - 3.2.1. Salary level - must earn greater than or equal to \$455.00 per week.
 - 3.2.2. Salary Basis – regularly receives a predetermined amount of compensation each pay period constituting all or part of the employee’s compensation. This predetermined amount cannot be reduced because of variations in the quality or quantity of work, subject to the exceptions listed within this policy.
 - 3.2.3. Job duties – must perform certain Executive, Administrative, or Professional duties set forth in the Fair Labor Standards Act.

4.0 REFERENCES

- 4.1. Fair Labor Standards Act

5.0 PRACTICE

- 5.1. As an exempt employee, you are entitled to receive your full salary with no time deducted from any of your accrued paid time off accounts for partial day absences, so long as you perform any work during the workday (including nights and weekends), and a full week of pay for any week in which you perform any work for the County without regard to the number of days or hours worked.

- 5.1.1. Deductions cannot be made for absences occasioned by the County.

- 5.1.2. Partial day absences for any reasons other than an intermittent leave covered by the Family Medical Leave Act shall not be deducted from a leave account.

- 5.2. Salary deductions for exempt employees can be made only for the following reasons:

- 5.2.1. Full day absences for personal reasons, other than sickness or disability.

- 5.2.2. Full day absences for sickness or disability where there is a bona fide sickness or disability policy that provides for wage replacement benefits.

- 5.2.3. Unpaid disciplinary suspensions of one or more days for serious infractions of written policies.

- 5.2.4. Absences covered by the Family and Medical Leave Act (FMLA); when an exempt employee takes unpaid leave under the FMLA, the County will deduct a proportionate part of the full salary for time actually worked. For example, if an employee who normally works 40 hours per week uses four hours of leave under the FMLA, the County will deduct 10 percent of the employee's normal salary that week.

- 5.2.5. To offset amounts you receive as payment for jury duty, witness fees or military pay.

- 5.2.6. The first and last week of employment in the event you work less than a full week during those weeks. The County will pay a proportionate part of your full salary for the time actually worked in your first and last weeks of employment.

- 5.2.7. Employee contributions to benefit plans such as pension and medical.

- 5.2.8. Taxes.

5.2.9. Garnishments directed via court order.

5.2.10. Any full week in which you perform no work at all for the County.

5.3. Timesheets specifically for payroll purposes are not required for weeks in which no leave time was used.

5.3.1. Full day absences must be reported on a timesheet in the pay period in which the absence occurred, identifying which paid time-off account the absence is to be deducted from.

6.0 What to do if an improper deduction occurs.

6.1. If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor or to the Human Resources Director.

6.2. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for the amount in error.

I have been notified that I am classified as an exempt level employee
and have read Blair County Policy No. 201.

Print Name

Sign Name

Date