



# CSU Bakersfield

Business and Administrative Services

Office of Human Resources

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## MEMORANDUM

**DATE:** October 29, 2019

**TO:** Campus Community

**FROM:** Kellie Garcia, Associate Vice President  
Human Resources & Administrative Services 

**SUBJECT:** **Clarifying Exempt and Non-Exempt Employees**

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Periodically, we send out a clarifying memorandum regarding exempt and non-exempt employees.

Employees are categorized as exempt or non-exempt in regards to their time reporting status. "Exempt" employees are expected to work an average 40 hours per week work schedule and are not eligible for overtime pay. Exempt employees are expected to work the number of hours it takes to get the job done. While exempt employees have some flexibility in their work hours, the employee is expected to maintain the work schedule defined by their supervisor. Any deviation from the expected hours must be pre-approved by the appropriate administrator. Having your position classified as exempt does not mean that an employee can come and go at their discretion. In addition, exempt employees account for time in full-day increments, so you must be out a full day to report the use of sick leave and vacation.

Employees classified as "non-exempt" and covered by an MOU, are eligible for overtime pay (time and a half) **after 40 hours worked in a week**. Employees classified as "non-exempt" not covered by an MOU are paid overtime after 8 hours in a day or 40 hours in a week and all overtime must be paid. Any overtime worked must be pre-approved by the appropriate administrator and the appropriate administrator should inform the employee if the time will be paid or recorded as CTO (compensatory time off) to be used at a later date. Non-exempt employees report time as used, so partial day usage is appropriate. In addition, only employees covered by a bargaining agreement may accrue CTO, instead of being paid for overtime hours worked. The supervisor should define the type of pay prior to the OT being worked.

### Foundation and Auxiliary for Sponsored Programs Administration (SPA) Employees

Exempt and non-exempt rules apply to employees in the Foundation and SPA exactly the same as for stateside employees.

However, overtime (time and a half) is **paid after 8 hours in a day or 40 hours in a week** and all OT must be paid. CTO cannot be accrued in either the Foundation or SPA.

Please let me know if you have questions regarding this.

KG:bf