Compliance with Department of Labor Increase in Minimum Salary Threshold: Salary Scale Increases and Reclassification to Nonexempt Academic Appointees

**Salary Scale Increases for Full-Time Academic Appointees to Remain Exempt**

As a result of collective bargaining, beginning on December 1, 2016, the bottom steps of the salary scales for Postdoctoral Scholars will be raised to above $3,956.34 per month (or $47,476 per year) so they can remain exempt. If the Postdoctoral Scholar is paid by grants and the PI cannot afford the salary increase, the PI may need your assistance to end the appointment early (layoff) or implement a reduction in time that might require the academic appointee to move from overtime exempt to non-exempt and overtime-eligible.

**Reclassification to Non-Exempt: Part-Time Postdoctoral Scholars Below the DOL Salary Threshold**

Beginning on November 20, 2016, certain Postdoctoral Scholars who are currently exempt from earning overtime will be reclassified as non-exempt because their earnings fall below the new Department of Labor overtime threshold of $913 per week (monthly exempt salaried employees must be paid at least $3,956.34 per month to remain exempt).

Attached is a list of part-time postdoctoral scholars under your supervision who have been determined to be non-exempt because they do not meet the new salary threshold.

This Factsheet is intended to help you administer payroll and recordkeeping for the non-exempt appointees you supervise. If you have further questions, please contact Tracey Pereida, Academic Personnel Analyst – Graduate Studies, tgpereida@ucdavis.edu, 530-754-6447.

Beginning November 20, non-exempt appointees will be reclassified from being paid on a monthly salaried basis to a biweekly hourly basis.

1. These appointees will receive their last monthly salaried basis partial paycheck on December 1 for work between November 1 through November 19.
2. They will receive their first biweekly paycheck on December 14, for hours worked between November 20 and December 3.
3. Their second biweekly paycheck will be on December 28, covering the period from December 4 to December 17.
4. Thereafter, they will be paid every 2 weeks on Wednesday, according to UC’s Biweekly Payroll Calendar.

2. New title codes have been issued for non-exempt Postdoctoral Scholars (TC 3255 Non-Exempt Postdoctoral Scholar – Employee). However this title will NOT be available until the end of the year.

   a. Appointees determined to be non-exempt must be changed in PPS as non-exempt version of their title effective November 20, 2016.
   b. Their current monthly salaried appointments must be ended effective November 19, 2016.
   c. New non-exempt salary scales will be issued with an hourly rate.
3. Future appointees who will be non-exempt include all part-time Postdoctoral Scholars whose earnings fall below the weekly threshold.

4. As hourly-paid employees, non-exempt appointees must record their time on a daily basis and submit timesheets to report their hours for each biweekly pay period, and the supervisor will be required to review and approve the hours reported every other week.
   a. Please consult with your unit payroll processor regarding the method of the timekeeping records, whether in electronic or paper format.

5. Non-exempt appointees will be paid for all hours worked.

6. The work week is defined as Sunday through Saturday.

7. Time worked as well as vacation leave and sick leave hours taken must be recorded in increments of ¼ hour (15 minutes).

8. Overtime and time worked beyond appointment percentage.
   a. Part-time appointees who work more than their stated appointment percentage, but less than 40 hours in a week, will receive pay for the extra hours (or partial hours) worked at their regular hourly rate.
   b. A non-exempt appointee will receive pay at 1.5 times their regular hourly rate for any time worked in excess of 40 hours in a week, regardless of their appointment percentage.
   c. Postdoctoral Scholars who work more than 40 hours in a week shall only be eligible for compensatory time off earned at the rate of time and one half (1 ½ X) for hours actually worked in excess of 40 hours in a week.
   d. All overtime/additional time worked in excess of appointment percentage must be approved in advance by the supervisor.

9. Other compensable time for non-exempt appointees includes:
   a. Donning and Doffing. Time spent changing into or out of protective clothing or engaging in special washing or cleaning procedures is considered time worked.
   b. Travel Time. If the appointee does not have regular working hours, the supervisor will assign regular work hours for any workweek during which travel will occur for the purpose of identifying and tracking compensable travel time. The travel during the appointee’s regular working hours is considered time worked. Travel time outside of the assigned regular work hours is not time worked, unless actual work is performed during that time. See PX CBA
   c. Rest Breaks. The University makes accommodation for breaks during the work day. Meal breaks are not considered compensable time (i.e., a lunch break should not be recorded as time worked).