

FLSA Basics

What is the FLSA?

FLSA is an acronym that stands for Fair Labor Standards Act. The Department of Labor (DOL) administers and enforces the FLSA. This federal law establishes minimum wage (\$7.25 per hour), overtime pay (time-and-one-half), recordkeeping, and child labor standards. The law requires employers to pay employees at least the federal minimum wage and overtime pay for all hours worked more than 40 in a workweek for non-exempt (hourly) employees.

Overtime pay

Overtime pay is the pay of time-and-one-half of the regular rate of pay, for all hours worked over 40 in a workweek. Non-exempt employees must receive overtime pay or compensatory time as agreed with supervisors. Our workweek at K-State begins on Sunday and ends on Saturday. Averaging hours over two or more weeks is not permitted.

Exemption tests

Employees may be exempt from overtime provisions if they meet **ALL** three (3) of the following tests:

- **Salary threshold** – employees must meet be compensated at a rate no less \$35,568 per year (\$1,368/biweekly)
- **Salary basis** – employees must be paid on a salary basis (biweekly at K-State)
- **Job duties** – employee’s primary duty must meet one of the DOL’s defined exemption tests (i.e. Administrative, Executive, Professional, etc.)

FLSA tip

It is important to remember that an employee’s exemption status is not based on their job title. Each position is analyzed individually based on the job duties stated in the position description. There is not a direct relationship between the job title or the classification (University Support Staff or Unclassified) to the final FLSA determination.

Most importantly, if you have any questions or would like to learn more about FLSA, please visit the [FLSA website](#) or contact the Compensation team at hrcomp@ksu.edu. They will be happy to assist you.

Why is this important?

Our Compensation and Organizational Effectiveness team relies on position descriptions to determine eligibility for exemption. Accurate position descriptions are critical to ensuring appropriate determinations and K-State’s compliance with the FLSA. Incorrect determinations could lead to overtime eligible employees not receiving the overtime they are due.

For more information on best practices, contact your [Talent Acquisition Strategic Partner](#)

Resources for Managers



HCS liaisons can also direct Managers to the FLSA Resources for Managers [website](#) to find available trainings, information and Q&As.