

To: A & K List
Personnel Specialists

From: Gary Leitnaker
Director

Date: August 13, 2003

Subject: FLSA Status of Graduate Assistants

The Division of Human Resources periodically reviews the Fair Labor Standards Act (FLSA) status of exempt employees. As you are aware, the Department of Labor establishes specific criteria for determining whether a position is exempt from overtime regulations. This determination is based solely on the duties performed. The holding of an academic degree or working in an academic setting is relevant only to the professional exemption *if* there are duties establishing the position in research, teaching or certain computer fields. After a review of the graduate student employment positions, the Graduate Assistants (GAs) have been determined to be non-exempt. Effective August 31, all current and all new appointments to the rank of Graduate Assistant will become non-exempt making each employee eligible to receive overtime payment for hours worked beyond 40 in one work week. *Graduate Teaching Assistants and Graduate Research Assistants will continue to be exempt.* A full discussion on overtime is available at <http://www.ksu.edu/policies/ppm/4220.html>.

The process will be automated for current Graduate Assistants in the Human Resources Information System and no paperwork is required. Personnel specialists and time-keepers will need to begin printing time documents and record actual time worked for all Graduate Assistants. On new appointments, hourly rates will be required on the Graduate Student Appointment Form (PER-41). Please inform your Graduate Assistants of this change as they will need to start completing time documents.

Any questions should be directed to the Classification Services section of Human Resources at 532-6277.