

**From:** [Office of the President](#)  
**To:** [ETSU Faculty](#); [ETSU Staff](#)  
**Subject:** Update on Fair Labor Standards Act at ETSU  
**Date:** Monday, August 15, 2016 1:01:46 PM

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Dear Colleagues,

As many of you are aware, the Department of Labor's Fair Labor Standards Act (FLSA) will change effective December 1, 2016. The change will require all administrative/professional employees to be paid a minimum of \$47,476 to remain in an exempt status under the FLSA's overtime provisions. This change in Federal law requires that the University review each position that is currently considered exempt but has a salary below that figure and make adjustments to salary or position classification to accommodate the requirements of each role. Approximately 450 employees on our campuses fall into that category.

The Executive Team and several university departments are working diligently to ensure that ETSU will be in compliance with the federal regulation, with our first priority being our current employees. To that end, we are pleased to announce that all administrative/professional employees who must be reclassified to a non-exempt status will retain their current classifications as "administrative" or "professional" and will be classified as either "exempt" or "non-exempt" within that classification. Employees who are reclassified to "administrative/professional non-exempt" will maintain their current leave accrual rates (2 days annual leave and 1 day sick leave per month), as long as they remain in the same position, and will transfer their current leave balances as of December 1 to their new classification. All affected employees will remain in their current retirement system.

Effective September 1, 2016, newly advertised administrative/professional positions will clearly state that those positions not meeting the \$47,476 salary threshold will be classified as administrative/professional non-exempt positions and will be eligible for non-exempt benefits.

Administrative/professional positions currently advertised as exempt will continue to provide new employees with the exempt benefits package if the employee's hire date is before December 1, 2016.

Many processes and issues must undergo review and updating during the next few months. Our campus leaders will be communicating with department heads and supervisors on how this change will affect each administrative/professional employee and how we will maintain our high quality of service to our students and constituents.

Beginning in October, the Office of Human Resources will be in communication with affected employees individually concerning their personal situation. In addition, training sessions will be offered to assist in this transition. If you have any questions, please call Human Resources at 9-5890.

Thank you for all you do for East Tennessee State University and for your patience as we navigate this difficult process.

Brian Noland  
President