

## EXEMPT MATRIX

### Differences between FLSA Exempt and Merit System Exempt (Uncovered)

	<b>FEDERAL LAW</b> Fair Labor Standards Act (FLSA)	<b>FEDERAL LAW</b> Fair Labor Standards Act (FLSA) and <b>STATE POLICY</b>	<b>STATE POLICY</b>
<b>STATE LAW</b> ↓	<b>NONEXEMPT</b> "NEXP" or "N"	<b>EXEMPT</b> "EXP" or "E"	<b>EXCLUDED</b> "EXC" or "O"
<b>COVERED*</b> (By Merit System)	All covered FLSA nonexempt employees are eligible for overtime of 1½ times their hourly rate.	According to federal law, FLSA exempt employees do not have to receive O/T or compensatory time. However, most exempt employees are eligible for straight time compensatory time (hour for hour) under STATE policy	Some covered FLSA exempt employees may be ineligible for straight time overtime or compensatory time
<b>UNCOVERED</b> (Exempt from Merit System)	All uncovered FLSA <u>non</u> exempt employees are eligible for overtime of 1½ their hourly rate	NO uncovered FLSA exempt employees are eligible for straight time overtime or compensatory time	No uncovered FLSA exempt employees are eligible for straight time overtime or compensatory time

\* Can only be terminated for cause. Employees not covered by (exempt from) the merit system are employed at will and may be terminated for any or no reason.

NOTE: The last character of an employee's position number designates whether overtime, compensatory time or neither is to be paid. For more information see the form "Position Number Translation".