



## **POLICY TITLE**

*FLSA, Overtime & Compensatory Leave, and the PUMP Act Policy*

## **POLICY NUMBER**

***SUS-7-011***

<b>Responsible Units:</b> <i>System Office of Human Resources</i>	<b>Effective Date:</b> <i>August 15, 2025</i>
<b>Responsible Officials:</b> <i>Chief Human Resources Officer</i>	<b>Last Reviewed Date:</b> <i>May 15, 2025</i>
<b>Policy Classification:</b> <i>Human Resources</i>	<b>Origination Date:</b> <i>October 15, 2024</i>

## **I. POLICY STATEMENT AND RATIONALE**

This policy provides guidelines for the consistent management of overtime compensation for required, authorized work that must be done beyond an employee's regular work schedule or scheduled work period. Employee compensation for overtime shall be in accordance with the State Civil Service Rules, Executive Order JML 24-122 and the Fair Labor Standards Act (FLSA), with the FLSA taking precedence in the event of a conflict within these provisions.

**Note:** An employer must comply with the most stringent State or Federal provisions. To that end, labor laws of the State of Louisiana do not address/govern the payment of overtime. Therefore, federal overtime laws apply.

## **II. POLICY**

The Southern University System fully intends to properly compensate employees for all hours worked as required by law. Overtime, the related payment of wages, or crediting of compensatory leave generally must be authorized prior to the overtime hours actually being worked and shall be authorized based upon business necessity only.

Supervisors are required to prudently manage and control the work of their subordinates in order to mitigate the need for overtime and are required to monitor the accrual of overtime to

avoid creating financial liability at the end of each fiscal year. To do so, supervisors must ensure that overtime is pre-approved, the caps on accrual of compensatory leave are not exceeded, and compensatory leave balances are not excessive.

### III. POLICY COMPLIANCE

This policy shall apply to all employees of the Southern University System.

### IV. POLICY DEFINITIONS

- A. **Covered Employee** – There are two ways in which an employee can be covered by the law: "enterprise coverage" and "individual coverage." For the purpose of this policy, an employee is “covered” by the FLSA due to the Southern University System’s eligibility as an enterprise. An enterprise is defined as:
  - i. As an entity that has at least two employees;
  - ii. Has an annual dollar volume of sales or business done of at least \$500,000; and,
  - iii. Hospitals, businesses providing medical or nursing care for residents, schools and preschools, and government agencies.
- B. **Overtime Hour** – An hour worked at the discretion and direction of the Appointing Authority by an unclassified employee who is serving in a position which earns compensatory leave:
  - i. On a day observed as a holiday (statutory, proclaimed or designated);
  - ii. In excess of the regularly scheduled workday;
  - iii. In excess of the regularly scheduled work period; or,
  - iv. On the day in which a department or campus are declared closed due to a natural disaster or emergency.
- C. **Scheduled Work Period** – The designated period of time an employee is scheduled to work without being subject to the overtime requirements of the FLSA. This generally will be a 40-hour work week, but may extend to a 173.33-hour monthly work period for exempt employees or an 84-hour bi-weekly work period for employees engaged in law enforcement activities or certain healthcare activities as authorized by the FLSA.
- D. **Regular Work Schedule** – The designated, recurring work hours and days an employee is required to work.
- E. **Hours Worked** – All time during which an employee is required or permitted to perform duties in furtherance of the interest of the University and/or System.
- F. **FLSA Overtime** – Compensation to a non-exempt employee required by the FLSA which necessarily involves payment of wages or crediting of compensatory leave for hours actually worked in excess of the scheduled work period. Such

compensation will be at the time and on-half rate.

- G. **Compensatory Leave** – Leave earned in lieu of paid wages at the straight-time or time and one-half rate as compensation for overtime hours worked. Crediting of such leave is based upon a determination of the employee’s status as exempt or non-exempt, and also upon the number of hours actually worked throughout the scheduled work period.
- H. **Official Work Domicile** (Location) – The campus in which an employee’s primary duty station is located or such other area as may be formally designated by the campus Chancellor.
- I. **Emergency Situations** – A Governor-declared State of Emergency or a state of emergency as designated by the Southern University System Board of Supervisors and/or President. The event shall end on the day and time designated by the Governor or Southern University System Board of Supervisors and/or President.
- J. **Appointing Authority** – The agency (Southern University System and/or related campus) head authorized by statute or legally delegated authority to make appointments to positions in state service. For the purpose of this policy, “appointing authority” also applies to the appointing authority’s designee.
- K. **Temporary Employee** – An employee who is continuously employed in the unclassified service of the executive branch (to include state supported schools, agencies and universities) which does not exceed and is not reasonably expected to exceed twelve (12) consecutive calendar months.
- L. **Unclassified Employee** – An officer or employee who serves at the pleasure of the Appointing Authority and whose position is designated as such by Civil Service Rule 4.1, Section (c) – (e), and Louisiana Constitution Article X, Section 2. (i.e., teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by any state, parochial, or municipal agency)
- M. **Law Enforcement Personnel** – Employees who are empowered by State or local ordinance to enforce laws designed to maintain peace and order, protect life and property, and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement.
- N. **Unclassified Service** – Those positions of state service, as defined by Article X, Section 2 and 42 of the Louisiana Constitution of 1974, which are not positions in the classified service.
- O. **State Service** – Employment in the executive branch of state government, including state supported schools, agencies and universities; public parish school systems; public student employment; membership on a public board or commission; and employment in the legislative and judicial branches. To constitute state service, the employment must have been performed for a Louisiana public entity. Contract service does not

constitute state service.

- P. **Non-Exempt Employee** – An employee who occupies a position covered by the overtime provisions of the FLSA, thereby requiring that he or she be compensated in accordance with the FLSA at the time and one-half rate for hours actually worked in excess of the scheduled work period.
- Q. **Exempt Employee** – An employee who occupies a position not covered by (exempt from) the overtime provisions of the FLSA, thereby not permitting compensation for overtime hours worked as authorized by this policy. Thus, employees who occupy positions that are classified in accordance with the FLSA as executive, administrative, or professional (outside sales and certain positions in the information technology field) are exempt from receiving compensation for overtime hours worked under the FLSA.

**NOTE:** The classification of a position as exempt or non-exempt is dependent upon criteria set forth in the FLSA. This determination is made based upon the employee's salary and an evaluation of duties actually performed. The designation of positions as exempt or non-exempt is maintained by and available from Human Resources.

- i. **Highly Compensated Employees** – An employee performing office or non-manual work and paid a total annual compensation of \$107,432 or more are exempt from the FLSA if they customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard tests for exemption.
- R. **Exemption Rules & Tests**
- Higher Education Exemption – To qualify for the Higher education exemption, all of the following tests must be met:
1. The employee must be compensated on a salary basis (as defined by 29 C.F.R. Part 541) at a rate not less than the published minimum threshold;
  2. The employee's primary duty must involve the kind of work associated with the exempt status sought (the "duties test").
    - a. § 541.303 Teachers. A teacher is exempt if his or her primary duty is teaching, tutoring, instructing, or lecturing to impart knowledge, and if he or she is performing that duty as an employee of an educational establishment. See 29 C.F.R. § 541.303. Educational establishments include elementary school systems, secondary school systems, institutions of higher education, and other educational institutions. See 29 C.F.R. § 541.204(b). If a bona fide teacher meets this duty requirement, the salary level and salary basis tests do not apply. See 29 C.F.R. §§ 541.303(d).
    - b. **Coaches.** Athletic coaches employed by higher education institutions may qualify for the teacher exemption. After all, teaching may include instructing student-athletes in how to perform their sport. But a coach will not qualify for the exemption if his or her primary duties are recruiting students to play sports or visiting high schools and athletic camps to conduct student interviews. The amount of time the coach spends instructing student-athletes in a team sport is relevant, but not the

- exclusive factor, in determining the coach's exempt status.
- c. The FLSA provides for several kinds of exempt professional employees—such as learned professionals, creative professionals, teachers, and employees practicing law or medicine. In higher education, employees eligible for the professional exemption are often either teachers (as discussed above) or learned professionals (as described below). To qualify as a learned professional, the employee must satisfy three requirements:
- i. The employee's primary duty must be the performance of work requiring advanced knowledge;
  - ii. The advanced knowledge must be in a field of science or learning; and
  - iii. The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

See 29 C.F.R. § 541.301. Unless the employee is a teacher or practicing law or medicine, he or she must also satisfy the above-referenced salary basis and salary level tests to be an exempt professional.

In higher education, examples of exempt non-teacher learned professionals generally include certified public accountants, psychologists, certified athletic trainers, and librarians. Postdoctoral fellows, who conduct research at a higher education institution after completing their doctoral studies, likewise generally meet the duties requirements of the learned professional exemption, and they may additionally qualify for the teacher exemption if teaching is their primary duty.

- ii. **Executive Exemption** – To qualify for the executive exemption, all of the following tests must be met:
  1. The employee must be compensated on a salary basis (as defined by 29 C.F.R. Part 541) at a rate not less than the published minimum threshold;
  2. The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
  3. The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
  4. The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.
- iii. **Administrative Exemption** – To qualify for the administrative exemption, all of the following tests must be met:
  1. The employee must be compensated on a salary or fee basis (as defined by 29 C.F.R. Part 541) at a rate not less the published minimum threshold;
  2. The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
  3. The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

- iv. **Learned Professional Exemption** – To qualify for the learned professional employee exemption, all of the following tests must be met:
  - 1. The employee must be compensated on a salary or fee basis (as defined by 29 C.F.R. Part 541) at a rate not less than the published minimum threshold;
  - 2. The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
  - 3. The advanced knowledge must be in a field of science or learning; and
  - 4. The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.
- v. **Creative Professional Exemption** – To qualify for the creative professional employee exemption, all of the following tests must be met:
  - 1. The employee must be compensated on a salary or fee basis (as defined by 29 C.F.R. Part 541) at a rate not less than the published minimum threshold;
  - 2. The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.
- vi. **Computer Employee Exemption** – To qualify for the computer employee exemption, the following tests must be met:
  - 1. The employee must be compensated either on a salary or fee basis (as defined by 29 C.F.R. Part 541) at a rate not less than the published minimum threshold;
  - 2. The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
  - 3. The employee's primary duty must consist of:
    - a. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
    - b. The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
    - c. The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
    - d. A combination of the aforementioned duties, the performance of which requires the same level of skills.
- vii. **Student Employees.** As a general matter, most students who work for their college or university are hourly non-exempt workers and do not work more than 40 hours per week. The following, however, are examples of students who often receive a salary or other non-hourly compensation:
  - 1. Graduate Teaching Assistants. Graduate teaching assistants whose primary duty is teaching are exempt. Because they qualify for the teacher exemption, they are not subject to the salary basis and salary level tests.
  - 2. Research Assistants. Generally, an educational relationship exists when a graduate or undergraduate student performs research under a faculty member's supervision while obtaining a degree. Under these circumstances, the Department would not assert that an employment relationship exists with either the school or any grantor funding the student's research. This is true even though the student may receive a stipend for performing the research.

3. Student Residential Assistants. Students enrolled in bona fide educational programs who are residential assistants and receive reduced room or board charges or tuition credits are not generally considered employees under the FLSA. They therefore are not entitled to minimum wages and overtime under the FLSA.

An employment relationship will generally exist when a student receives compensation and his or her duties are not part of an overall education program. For example, students who work at food service counters, sell programs or usher at events, or wash dishes in dining halls and anticipate some compensation (for example, money or meals) are generally considered employees entitled to minimum wage and overtime compensation.

#### **I. CREDITING OVERTIME**

Overtime compensation is credited based upon hours worked and leave usage during the scheduled work period. Non-exempt employees are entitled to compensation credited at the time and one-half rate only after actually working hours in excess of the scheduled work period. Thus, the use of leave of any nature or the occurrence of a holiday during a scheduled work period affects the rate of compensation to which a non-exempt employee is entitled.

For the purpose of crediting hours worked for overtime, time off from work due to paid leave (i.e., annual, sick, compensatory, holiday, office closure, jury duty, etc.) is not considered to be time worked.

#### **II. OVERTIME & MEAL PERIODS**

Designated meal periods are not considered work time and employees are not allowed to work during the scheduled meal period without authorization. If a non-exempt employee is required or permitted to work through the designated meal period overtime compensation at the appropriate rate is required under the FLSA.

#### **III. OVERTIME & ON-CALL**

In accordance with FLSA rules, an employee who is required to remain on call on the employer's premises is working while "on call." An employee who is on call at home and is not actively engaged in work-related activity is not working while on call.

#### **IV. OVERTIME FOR ATTENDANCE AT CONFERENCES, CONVENTIONS & TRAINING PROGRAMS**

When a non-exempt employee is required by his/her Appointing Authority (or the Appointing Authority's designee) to attend a conference, convention, seminar, workshop, training course or related activity on weekends or beyond the regular work schedule, all time actually spent participating in program activities shall be designated as hours worked for which compensation at the appropriate rate is required. Meal

periods and social events are not considered conference program activities and are not to be designated as work hours.

When an exempt employee is required by his/her Appointing Authority (or the Appointing Authority's designee) to attend a conference, convention, seminar, workshop, training course or related activity on weekends or beyond the regular work schedule, all time actually spent participating in program activities shall be designated as hours worked for which the employee is exempt from additional compensation. However, the exempt employee may consider a flexible schedule arrangement, which must occur in the employee's current pay period.

When an exempt or non-exempt employee elects, at his/her own expense and is permitted by his/her Appointing Authority (or the Appointing Authority's designee), to attend a non-mandatory conference, convention, seminar, workshop, training course, or related activity during regular work hours, he/she shall not receive additional compensation or flexible schedule arrangement for travel to or participation in program activities beyond the regular work schedule.

## **V. OVERTIME FOR TRAVEL**

While in an authorized travel status for official University/System business purposes, overtime compensation at the appropriate rate for a non-exempt employee is required for the reasonable and necessary time spent beyond the regular work schedule in transit to and from the destination.

### **A. Home to Work Travel**

Daily travel to and from the customary work location is not considered work time. However, if an employee is required to report to an alternate work location and this work location is more than 50 miles from the customary work location, the Appointing Authority (or the Appointing Authority's designee) may designate all or a portion of the time spent on travel to and from as work time.

### **B. Travel Away from Home**

In accordance with the FLSA, travel that keeps an employee away from home overnight is travel away from home. Travel away from home is clearly work time when it cuts across the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days. Subsequently, travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not considered work time.

### **C. All in a Day's Work Travel**



In accordance with the FLSA, time spent by an employee in travel as part of their principal activity, such as travel from one location to another location during the workday, is work time and must be counted as hours worked.

## **VI. CAPS ON ACCRUAL OF COMPENSATORY LEAVE**

For most non-exempt employees, the FLSA permits the accrual of compensatory leave earned at the time and one-half rate up to a maximum cap of 240 hours. However, for qualifying law enforcement, fire protection, and emergency response personnel, the maximum cap on accrual is 480 hours.

**Note:** Supervisors are required to monitor overtime worked by their employees to ensure that these caps are not exceeded.

## **VII. EMPLOYEES ENGAGED IN LAW ENFORCEMENT ACTIVITIES**

In accordance with the FLSA, Southern University System Police Departments may establish a work period ranging from 7 to 28 days in which overtime need be paid only after a specified number of hours in each work period. As such, the Southern University System defines the work period for qualifying law enforcement activities to be 14 days of work. To that end, the overtime rate of time and one-half will be at 84 hours.

## **VIII. REQUIRED OVERTIME & USE OF COMPENSATORY LEAVE**

- A. **Required Overtime** – Supervisors may require employees to work overtime at any time, including during emergency situations and office closures, as necessary to accomplish job assignments and serve the public’s needs. Employees can be disciplined, up to and including termination, for failing or refusing to work overtime by supervisory personnel.
- B. **Use of Compensatory Leave** – An employee may be required by supervisory personnel, with the approval of the Appointing Authority (or the Appointing Authority’s designee), to use all or part of his or her compensatory leave at any time. In accordance with the FLSA, compensatory time off will be paid at a rate of time and one-half.

Furthermore, an employee must be permitted to use compensatory time on the date requested unless doing so would “unduly disrupt” the operations of the System / University.

## **IX. CALCULATING COMPENSATORY LEAVE PAYOUTS**

The hourly rate of pay for all overtime shall be calculated in accordance with the Fair Labor Standards Act (FLSA).

1. Non-Exempt Unclassified Employees Accruals:

- a. When a holiday or paid leave is used towards the 40-hour work week, the non-exempt unclassified employee shall earn straight time of compensatory leave for hours worked over the 40-hours;
- b. When a non-exempt unclassified employee works all 40-hours in a workweek, the non-exempt unclassified employee shall earn time and one-half hours of compensatory leave for the hours **worked** over 40 in a workweek;

2. Non-Exempt Unclassified Employees Limits:

- a. No more than **240 hours** of unused compensatory leave can be carried forward into any fiscal year for non-exempt unclassified employees. The employee must be paid out over the 240 limits; *FLSA (29 USCA §207(o)(3)(A); 29 C.F.R. § 553.21)*
- b. Non-exempt unclassified employees working in a public safety activity, an emergency response activity, or a seasonal activity may accrue no more than **480 hours** of compensatory leave for hours worked. *FLSA (29 USCA §207(o)(3)(A); 29 C.F.R. § 553.21).*

3. Exempt Unclassified Employees Accruals:

- a. In extreme circumstances with pre-approval from the Appointing Authority may an exempt unclassified employee earn compensatory leave;
- b. Compensatory leave earnings are straight-time for hours worked over 40 in a workweek.
- c. When an exempt unclassified employee actually works all 40-hours in a workweek, the employee may earn compensatory leave for the hours **actually worked** over 40 in a workweek;

4. Exempt Unclassified Employees Limits:

- a. No more than **360 hours** of unused compensatory leave can be carried forward from one fiscal year to the next for exempt employees. Compensatory leave over the 360 hours will not be accrued nor payout. *Established by the SUS Board of Supervisors to match Louisiana State Civil Service Rule 21.11, ensures all employees receive the same limits.*
- b. Exempt unclassified employees engaged in law enforcement and health care activities may accrue no more than **540 hours** of compensatory leave for hours worked. *Established by the SUS Board of Supervisors to match Louisiana State Civil Service Rule 21.11, ensures all employees receive the same limits.*

5. Compensatory leave shall be earned at a minimum of 30-minute increments.

6. Compensatory leave shall be claimed by and credited to the eligible unclassified employee during the pay period the overtime is worked and, upon approval, may be used by the employee at a future date.

## **X. PUMP ACT**

Under the Fair Labor Standards Act (FLSA), most nursing employees have the right to reasonable break time and a place, other than a bathroom, that is shielded from view to express breast milk while at work. This right is available for up to one year after the child's birth. In general, employers must provide the following:

- A. For one year after the child's birth, covered employees may take reasonable break time "each time such employee has need to express the milk." An employer may not deny a covered employee a needed break to pump.
  - i. The frequency and duration of breaks needed to express milk will likely vary depending on factors related to the nursing employee and the child.
  - ii. Factors such as the location of the space and the steps reasonably necessary to express breast milk, such as pump setup, can also affect the duration of time an employee will need to express milk.
  - iii. Employees who telework are eligible to take pump breaks under the FLSA on the same basis as other employees.
- B. **Private Space to Pump Breast Milk.** Covered employees must be provided with "a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk." Under the FLSA, a bathroom, even if private, is not a permissible location for the employer to provide for pumping breast milk.
  - i. The location provided must be functional as a space for expressing breast milk. If the space is not dedicated to the nursing employee's use, it must be available when needed by the employee in order to meet the statutory requirement.
  - ii. Workers who telework must also be free from observation by any employer-provided or required video system, including computer camera, security camera, or web conferencing platform.
- C. **Compensation for Break Time to Pump Breast Milk.** Under the FLSA, when an employee is using break time at work to express breast milk they either:
  - i. Must be completely relieved from duty; or
  - ii. Must be paid for the break time.

Further, when employers provide paid breaks, an employee who uses such break time to pump breast milk must be compensated in the same way that other employees are compensated for break time.

## **XI. MISCELLANEOUS**

- a. At the time of hire, an employee's FLSA exemption status shall be indicated in his or her appointment letter.
- b. Upon Board approval and upon hire, all employees are required to read and acknowledge this policy.

- c. Employees are required to secure supervisory and Budget Office approval prior to working overtime except in extenuating circumstances (emergency situations, critical deadlines, meetings that extend beyond departure time, etc.). If not pre-approved, all overtime hours worked must be timely reported by the employee, along with an explanation of the nature of work performed and the business need thereof.
- d. Overtime should be limited and authorized only when the required work cannot be completed during the regularly scheduled work period.
- e. Overtime that results from critical staffing shortages should be properly analyzed by the department supervisor and authorization for employee overtime should be limited to the necessary hours needed to facilitate an efficient and effective business operation.
- f. Continued overtime that results from staffing shortages should be properly analyzed (cost analysis) by the department supervisor, Finance department, Human Resources department, and the Appointing Authority (or the Appointing Authority's designee) to determine the appropriateness of increasing departmental staffing levels.
- g. In accordance with FLSA recordkeeping requirements, overtime hours worked should be properly and timely recorded on the employee's timesheet for the pay period in which the overtime occurred.
- h. An Appointing Authority may authorize payment of all or a portion of an employee's compensatory leave at any time.
- i. Should an employee choose, with permission, a different mode of travel than that which has been authorized by the Appointing Authority (or the Appointing Authority's designee), any additional travel time incurred as a result of the employee's choice shall not be considered hours worked for overtime purposes.

## **XII. VIOLATIONS**

Any employee found to have knowingly, and intentionally falsified claims of overtime compensation will be subject to disciplinary action, up to and including termination. Additionally, falsely claimed overtime will be reported to the appropriate authorities in accordance with La. R.S. 24:523. Employees should be aware that criminal prosecution may ensue for such violations.

Any employee who repeatedly works and claims overtime without prior authorization will be subject to disciplinary action, up to and including termination.

Any supervisor who fails to monitor and manage overtime within his or her department, division, or campus will be subject to disciplinary action, up to and including termination.

### **XIII. EXCEPTIONS**

Requests for exceptions to this policy shall be submitted to the Office of Human Resources with specific and compelling written justification. Exceptions may only be granted by the System President, Chief Human Resources Officer and/or Campus Chancellor and then only if such exception is determined to be in the overall best interest of the Southern University System and/or respective institution, as well as the best use of public funds.

### **V. POLICY IMPLEMENTATION PROCEDURES**

This section describes the means by which this policy is implemented and serves as a summary of the policy implementation process.

The Office of Human Resources for each respective institution is responsible for implementation.

- A. Each respective institutions' Human Resources department will maintain job descriptions that accurately reflect the FLSA status for each position.
- B. All non-exempt employees as defined by the Fair Labor Standards Act (FLSA) seeking to work overtime in a corresponding pay period are required to complete and submit an Overtime Request form to the supervisor. Overtime is not authorized until the form has received all required signatures (i.e., employee, supervisor, Budget Office, and Vice Chancellor for Administration & Finance).
- C. The original, approved Overtime Authorization form must be routed to the Payroll department for the employee's Payroll file. These forms will be maintained in accordance with the University's record retention schedule.

### **VI. POLICY RELATED INFORMATION**

This section provides links to applicable federal, state, and local laws, policies, regulations or SUS Board Bylaws that impact this policy.

- A. CFR Part 541 -- Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Computer and Outside Sales Employees.
- B. PUMP for Nursing Mothers Act, Consolidated Appropriations Act, 2023.
- C. PUMP for Nursing Mothers Act – December 2022.
- D. U.S. Department of Labor, Wage and Hour Division, Fair Labor Standards Act.
- E. U.S. Department of Labor, Wage and Hour Division, Fact Sheet #17S: Higher Education Institutions and Overtime Pay Under the Fair Labor Standards Act (FLSA)
- F. U.S. Department of Labor, Wage and Hour Division, Fact Sheet #14: Coverage Under the Fair Labor Standards Act (FLSA) Fact Sheet #14: Coverage Under the Fair Labor Standards Act (FLSA) | U.S. Department of Labor (dol.gov)
- G. U.S. Department of Labor, Wage and Hour Division, Fact Sheet #14: Coverage Under

- the Fair Labor Standards Act (FLSA).
- H. U.S. Department of Labor, Wage and Hour Division, Fact Sheet #22: Hours Worked Under the Fair Labor Standards Act (FLSA).
  - I. Overtime Pay | U.S. Department of Labor (dol.gov).
  - J. Louisiana Workforce Commission, Labor Law Information Resources.
  - K. State Civil Service Rules (Louisiana.gov)
  - L. Executive Order JML 24-122 Rules and Rules on Leave for Unclassified Service.
  - M. La. R.S. 24:523 Louisiana Laws - Louisiana State Legislature.
  - N. Louisiana Constitution Article X, Section 2.
  - O. Louisiana Constitution Article X, Section 42.
  - P. Southern University System Employee Leave Policy 7-004.

## **VII. POLICY HISTORY & REVIEW CYCLE**

This is a new policy developed to ensure compliance with federal law as related to the Fair Labor Standards Act and the PUMP Act. The policy will become effective upon approval by the System Board of Chair and President. It will be reviewed on a five-year review cycle. Additionally, interim reviews may be conducted as needed to address emerging challenges or opportunities.

## **VIII. POLICY URL**

With respect to system policies, the SU System Policy and Planning Committee shall electronically post and archive approved and signed system policies on the system website at <https://www.sus.edu/page/policy-search>.

## **IX. POLICY APPROVAL**

Policy approved at the August 15, 2025, meeting of the Board of Supervisors for the Southern University System.

