



UA Statewide Office of Human Resources

FAQ's

NON-EXEMPT UNIVERSITY EMPLOYEES & ADJUNCT APPOINTMENTS

- Why is the university changing its process for paying non-exempt employees who teach classes as adjunct instructors?

The Fair Labor Standards Act requires employers to pay overtime to an employee whose “primary duty” is non-exempt work when the employee works more than 40 hours per week. (UAF firefighters are entitled to overtime when they work more than 106 hours in a 14 day work cycle.) Although teachers are usually exempt under the FLSA, an employee who teaches part-time and also works in a non-exempt position may not be exempt.

- Are there any exceptions to the overtime requirement?

Yes. Exempt employees are not eligible for overtime. Also, the FLSA does not require overtime pay when a non-exempt employee works “occasionally or sporadically” in a different capacity from their regular employment. The Department of Labor defines “occasional or sporadic” as infrequent, irregular, or occurring in scattered instances. (Work that occurs every week or every other week does not constitute intermittent and irregular employment and therefore the hours worked in both jobs must be combined in computing overtime.)

- How is adjunct pay calculated for non-exempt employees?

Non-exempt employees must be paid an hourly rate for their adjunct assignment and the hourly rate must be specified in the appointment letter. The MAU Human Resources office will work with the department to determine the hourly rate.

Eligible employees are entitled to “time and a half” when they actually work more than 40 hours per week – in other words, their hourly rates and a 50% overtime premium. Generally, an employee’s overtime premium rate for adjunct hours will be paid at 50% of their hourly adjunct rate, or at 50% of their regular hourly rate, whichever is higher.

- Will a “non-exempt adjunct” receive overtime pay every week?

A non-exempt employee is eligible for overtime when they actually work more than 40 hours per week. In weeks when there is a holiday, or the adjunct takes leave from their non-exempt job, their actual hours worked might not exceed 40 hours and they will not receive the 50% overtime premium.

- How will this change affect department budgets and compensation for a “non-exempt adjunct”?

If a non-exempt adjunct spends 45 hours per credit teaching a class, and all 45 hours are paid as overtime hours, they will receive 150% of the set per credit rate for teaching the class. However, because of holidays and leave from their non-exempt job, some of their adjunct hours will probably not be paid as overtime hours. If an adjunct actually spends less time teaching the class, they will be paid less; if they spend more time teaching the class, they will be paid more.

- How does a “non-exempt adjunct” record their time?

Timesheets for the regular non-exempt job will be processed as usual. Beginning 2012 Spring semester, a “non-exempt adjunct” must record their adjunct hours* on a separate timesheet, obtain the signature of the dean or director who supervises the adjunct assignment, and submit the timesheet to the MAU HR office each pay period.

*“Non-exempt adjuncts” must record all their adjunct hours: the hours that they spend actually teaching the class and also the hours that they spend preparing for class, grading assignments, office hours, etc. The department will monitor the hours and may in its discretion require direct supervision of a “non-exempt adjunct’s” preparation work.

- Can overtime for an adjunct appointment be paid from restricted funds?

Payment of overtime from restricted funds must be pre-approved by grants and contracts. Restrictions on the funds may prohibit the department from charging the premium portion of overtime to those funds. Please contact your grants and contracts administrator for more information.