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## MEMORANDUM

To: Deans, Directors, and Department Heads

From: Juan A. Jarrett  
Assistant Vice Chancellor for Human Resources

Subject: Fair Labor Standards Act (FLSA) Review

Date: February 26, 2007

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In August 2004 the Federal Department of Labor (DOL) issued revised guidelines and exemption tests for the Fair Labor Standards Act (FLSA) to assist employers in determining whether job classifications are exempted from the overtime provisions of FLSA. The Department of Labor requested that all employers begin reviewing their existing FLSA determinations in light of the revised guidelines. University job classifications that have been exempted from the overtime provisions of FLSA have been defined as professional positions under the campus' salary administration program. Human Resources recently completed a review of nearly 650 professional or exempt job classifications against the revised guidelines and exemption tests. Consistent with the revised FLSA guidelines, Human Resources will be reclassifying those positions that do not meet the revised FLSA guidelines from an exempt status to a non-exempt status. In order to help provide a successful transition for those positions impacted by the reclassification from exempt to non-exempt status, the University and the Professional Staff Union (PSU) modified the PSU collective bargaining contract to include specific provisions for the terms and conditions of any position that will be converted from exempt to non-exempt status.

Effective March 4, 2007, we will begin the conversion process of positions determined to be overtime eligible to non-exempt status. During the month of March Human Resources will be contacting those employees and their supervisors whose job positions will be reclassified and converted from exempt to non-exempt status. Human Resources will be setting up meetings with employees and supervisors to discuss and answer any questions regarding Human Resources' FLSA determinations. We anticipate concluding these meetings by the end of the month of April.

I would like to thank the Executive Area Administrative Officers and the personnel coordinators in your departments who have assisted Human Resources in the FLSA review of our professional positions.

If you have any questions regarding the FLSA review process please contact me to discuss further.