

## **Prohibiting Improper Pay Deductions for Salaried Exempt Employees**

### **Summary**

It is the purpose of this statement to emphasize the college's intention to comply fully with the Fair Labor Standards Act (FLSA) and all applicable state wage and hour provisions.

Accordingly, salaried employees who are classified as exempt from overtime provisions will receive their full predetermined salaries for each workweek in which they perform any work.

The college will not make any deductions from the predetermined salary due to variations in the quality or quantity of work performed, except in the following situations:

1. Employees will not be paid their salary for any workweek in which they perform no work.
2. Deductions from salary may be made when an exempt employee is absent from work for one or more full days for personal reasons, other than sickness or disability.
3. Deductions from salary may be made for absences of one or more full days occasioned by sickness or disability (including work-related accidents), if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for loss of salary occasioned by such sickness or disability. Deductions for such full-day absences also may be made before the employee has qualified under the plan, policy or practice and after the employee has exhausted the leave allowance thereunder.
4. FMLA leave is generally unpaid unless accrued paid leave or benefits are otherwise available to the employee.
5. Deductions from salary will be made for unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace conduct rules, as explained in our written policies applicable to all employees (e.g., policies prohibiting discriminatory harassment or prohibiting workplace violence).
6. Deductions from salary will be made for unpaid suspensions imposed in good faith for infractions of safety rules of major significance, such as those relating to the prevention of serious danger in the workplace or to other employees.
7. In the initial or terminal week of employment, the college will pay a proportionate part of the employee's full salary for the time actually worked.

The college prohibits and will not allow improper deductions from the pay of its salaried exempt employees. If a salaried exempt employee in good faith believes that his or her compensation has been improperly reduced, the employee should promptly report the matter to Human Resource Services in writing. The following procedures shall apply:

1. The employee shall report the alleged improper pay deduction in writing to Human Resource Services, and the writing shall include the following:
  - a. employee's name;
  - b. amount believed to be improperly deducted;

- c. reason given for the deduction; and
  - d. reason the employee believes that the deduction was improper.
- 2. The college shall conduct an investigation into the matter.
- 3. If it is determined that the deduction was in error, the employee will be fully reimbursed, and there will be no retaliation of any kind for having utilized this complaint procedure.