



## Ohio Administrative Code

### Rule 3342-6-07.7 Administrative policy regarding employees paid on a salary basis.

Effective: March 1, 2015

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(A) Purpose. It is the university's intent to comply with all requirements of the Fair Labor Standards Act (FLSA). All supervisors and managers, therefore, are only authorized to make proper deductions from the salaries of exempt employees. Furthermore, it is also the university's intent to inform employees of this policy and ensure them that the university does not allow deductions that violate the FLSA.

(B) Eligibility. The policy applies to all unclassified full-time salaried employees who are paid on a salary basis. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period.

(C) Implementation.

(1) The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked.

(2) Exempt employees do not need to be paid for any workweek in which they perform no work.

(3) If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

(4) Deductions from pay. Examples of circumstances in which the university may properly make deductions from pay include the following:

(a) For absences from work for one or more full days for personal reasons other than sickness or disability.



- (b) For absences for one or more full days due to sickness or disability if the deduction is made in accordance with rule 3342-6-11.3 or 3342-6-11.1 of the Administrative Code.
  - (c) To offset amounts employees receive as jury or witness fees in accordance with rule 3342-6-11.5 of the Administrative Code.
  - (d) For military pay in accordance with rule 3342-6-11.6 of the Administrative Code.
  - (e) For unpaid disciplinary suspensions imposed in good faith for workplace conduct rule infractions.
  - (f) In the initial or terminal week of employment, if the employee does not work the full week.
  - (g) For penalties imposed in good faith for infractions of safety rules of major significance.
  - (h) For weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.
- (5) Improper deductions. If an employee believes that an improper deduction has been made from his/her salary, the employee should immediately report this information to his/her direct supervisor, or contact the records office to initiate a review. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deductions made.