

HUMAN RESOURCES ADMINISTRATIVE MANUAL
TIME AWAY FROM WORK: FAIR LABOR STANDARDS ACT LEAVE



UNIVERSITY SYSTEM
OF GEORGIA

Fair Labor Standards Act Leave

CITATION REFERENCE

OFFICIAL TITLE	POLICY ON FAIR LABOR STANDARDS ACT LEAVE
VOLUME	HUMAN RESOURCES
RESPONSIBLE OFFICE	USG HUMAN RESOURCES OFFICE
ORIGINALLY ISSUED	
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Policy Statement

When an exempt employee is absent from work for less than one (1) scheduled workday and their accumulated leave is insufficient to cover the partial day of absence, the employer will:

- deduct the cost for such leave in hourly increments from an exempt employee's salary; or
- place the exempt employee on leave without pay.

Such action by the employer will not disqualify the exempt status of the employee's position (29 CFR 541.5d).

This policy ensures compliance with the Fair Labor Standards Act. This policy provides that the University System of Georgia as a public entity is allowed to have a leave program available to employees and from which an exempt employee will draw leave in the event of an absence from the workplace. Such a leave bank program is allowable under the law for public employers recognizing their need to be responsible to the public. The policy also ensures consistency among institutions of the University System in recording leave taken when an employee has exhausted leave from their paid leave bank without jeopardizing the exempt status of the employee under the law.

Applicability

All units of the University System of Georgia are covered by this policy.

Who Should Read This Policy

All Human Resources personnel and employees within the University System of Georgia should be aware of this policy.

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Definitions

These definitions apply to these terms as they are used in this policy:

- **Board of Regents (BOR):** The governing body of the University System of Georgia.
- **FLSA Leave:** Concerns exempt employees unpaid leave from work that covers less than one scheduled workday when the employee's accumulated leave under one of the USG's paid leave programs is insufficient to cover the leave.

Process and Procedures

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, record keeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments. The FLSA also allows public employers to provide paid leave programs that may be used by employees to account for their absences from the workplace. Such leave programs do not jeopardize the exempt status of an employee even if leave is reported in hour increments or some variation thereof. Public employers may also dock the pay of an exempt employee for leave taken when the employee's accumulated leave is insufficient to cover the leave without jeopardizing the employee's exempt status.

- [FLSA Leave policy](#)

Responsible Parties and Contact Information

Party	Responsibility	Phone/Email/URL
Vice Chancellor for Human Resources, USG	Maintain leave, provide guidance to institution human resources officers on effective utilization of policy, monitor for compliance, update the system as necessary, and respond to campus requests for updates.	404-962-3235 usg-hr@usg.edu
Institution Chief Human Resources Officers	Ensure appropriate utilization of the USG FLSA leave on their respective campuses, including its relation to exempt employees.	See University System HR Officer Listing

Website Address for This Policy

- None

Appendices (Internal Documents, Forms and Web Links)

- None

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Related Documents and Resources (External)

- [Department of Labor FLSA](#)

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