

Overview

Fair Labor Standards Act (FLSA) – Overtime Rules

The Department of Labor, Wage and Hour Division has issued new rules regarding the classification of employees as Exempt or Non-Exempt for the purpose of paying overtime for work beyond the scheduled workday or workweek.

Generally, employees of religious, non-profit organizations are exempt from these regulations and therefore most churches will not be required to follow the wage guidelines. The rules require that employees earning less than \$47,476 per year on an equivalent basis must be paid overtime for non-regular work hours including extra hours at the workplace of phone calls or on-line work done at home plus any other non-scheduled work time.

Also, employees engaged in communications across stateliness via phone calls, emails are through the internet are not exempt if this work is done on a regular basis. Employees of exempt organizations who engage in interstate commerce on an infrequent basis will not be deemed to be covered by the FLSA and will remain exempt from the overtime rules.

Pre-schools

Regardless of affiliation, pre-schools are not exempt from the Overtime Regulations of the FLSA and teachers and employees of pre-schools must be paid in compliance with these regulations. Please read carefully

If your church has a pre-school they pre-school should have its own Federal Employee Identification Number (FEIN) apart from the church and be paid separately from other church employees. Failure to do this may jeopardize the exemption of the entire church.

Attachments

Please read the other attachments in this section carefully and seek additional guidance if necessary.