



## Ohio Administrative Code

### Rule 3337-41-115 Administrative position status determination.

Effective: June 25, 2016

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The version of this rule that includes live links to associated resources is online at

<https://www.ohio.edu/policy/41-115.html>

#### (A) Overview

This policy provides for review of positions to assure compliance with the regulations of the State Civil Service Code and the Federal Fair Labor Standards Act.

All positions must be reviewed by university human resources ("UHR") to determine whether they are exempt (salaried) or non-exempt (paid hourly) before commitment is made to a prospective employee and before an employee is placed in the position.

#### (B) Determination of status

The employing department must prepare a position description for each position, and submit it to UHR for review.

University human resources will review the position description, will investigate details of the position with the employing department head, and will determine the status of the position, applying guidelines of the Fair Labor Standards Act and Chapter 124.11 of the Revised Code: "Unclassified service - classified service." There are three cases:

##### (1) Exempt - unclassified

If UHR determines that the position is both exempt from the Fair Labor Standards Act and eligible for unclassified service under the Revised Code, then the position will be identified as an administrative presidential appointee position, and will be paid on a salaried basis.



(2) Non-exempt - classified

If UHR determines that the position is both non-exempt and that it meets the criteria for a classified position, under the Revised Code, then the position will be identified as a classified hourly position, and will be paid on an hourly basis.

(3) Non-exempt - unclassified

If UHR determines that the position is both non-exempt, and that it meets the criteria for an unclassified position under the Revised Code, then the position will be identified as an administrative hourly position, and paid on an hourly basis. An administrative hourly employee is appointed to an unclassified position, but is subject to the non-exempt provisions of the Fair Labor Standards Act, where applicable.

(C) Notification of status

University human resources shall notify the employing department head in writing of the status of the position.

(D) Payroll processing

To assure compliance with this policy, all administrative appointments and classified positions shall be reviewed and initiated by UHR before being processed for payroll purposes.

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