

Exempt and Non-exempt Employees and Timesheet Requirements

Initial question from librarian: Are timesheets required for exempt employees?

Response from Tracy Cook – May 19, 2011

I found the record keeping information. It looks like you are not required to have time sheets for exempt employees although most places that have both exempt and non-exempt require everyone to complete a time sheet. Probably to keep better records and make sure people are working 40 hours a week. I hope this helps. Please let me know if you need anything else, Tracy

Here is a link a poster that summarizes the record keeping requirements -

<http://www.dol.gov/whd/regs/compliance/whdfs21.pdf>

The link to the Code of Federal Regulations is broken, so here is a link to the actual code -

<http://www.gpo.gov/fdsys/pkg/CFR-2010-title29-vol3/pdf/CFR-2010-title29-vol3-subtitleB-chapV.pdf>

Here's the text of the exact section about exempt employees and what's required.

§ 516.3 Bona fide executive, administrative, and professional employees (including academic administrative personnel and teachers in elementary or secondary schools), and outside sales employees employed pursuant to section 13(a)(1) of the Act. With respect to each employee in a bona fide executive, administrative, or professional capacity (including employees employed in the capacity of academic administrative personnel or teachers in elementary or secondary schools), or in outside sales, as defined in part 541 of this chapter (pertaining to so-called “white collar” employee exemptions), employers shall maintain and preserve records containing all the information and data required by § 516.2(a) except paragraphs (a) (6) through (10) and, in addition, the basis on which wages are paid in sufficient detail to permit calculation for each pay period of the employee’s total remuneration for employment including fringe benefits and prerequisites. (This may be shown as the dollar amount of earnings per month, per week, per month plus commissions, etc. with appropriate addenda such as “plus hospitalization and insurance plan A,” “benefit package B,” “2 weeks paid vacation,” etc.)