

FLSA Exempt – FAQs

1. How are WWG E/SE employees' workweek schedules determined?

Management has the right to specify the workweek schedule for each WWG E/SE employee based on a minimum average workweek of 40 hours and its assessment of legitimate business and operations. Workweek schedules may fluctuate at times depending on the nature and amount of work to be performed subject to management approval. In the absence of work requiring irregular or fluctuating hours of work, WWG E/SE employees are expected to maintain a consistent workweek schedule as directed by management.

2. Are WWG E/SE employees allowed to work a non-standard workweek schedule?

Yes, with management approval. Non-standard workweek schedules are schedules that deviate from a standard 5/8/40 workweek schedule subject to agreement between the employee and management. Non-standard workweek schedules include 9/8/80 and 4/10/80 workweek schedules.

3. Are WWG E/SE employees charged paid leave or docked for absences in less than whole-day increments?

No, WWG E/SE employees shall not be charged paid leave or docked for absences in less than whole-day increments. Whole day increments have been interpreted as the number of hours an employee is regularly scheduled to work in a day, 8, 9 or 10 hours on a 5/8/40, 9/8/80 or 4/10/40 work schedules respectively.

4. What is the minimum amount of time an Exempt employee can work and not charge leave?

Exempt employees do not need to charge leave if any work consistent with the mission of the department is completed for the day. This includes tasks that focus on the broad mission and positive contribution of CDFW to the wider society and/or environment.

For example, an exempt employee making an appearance at work to report an ongoing illness or submit a timesheet will not be compensated for a full day's pay. Whereas an employee making an appearance at work to finalize an Environmental Report has completed work consistent with the mission of the department and shall be compensated for a full day's pay.

5. Can Exempt employees leave work early if they have completed their duties for the day?

No, Exempt employees must remain at the worksite during their regularly scheduled hours unless they obtain supervisory approval to leave early. If an Exempt employee is regularly running out of work prior to the end of their work day, the supervisor must re-evaluate the employee's duties.