

Exempt Employees During Furlough Week

During the week that an exempt employee observes a furlough day, the employee becomes non-exempt. Per the Fair Labor Standards Act (FLSA), non-exempt employees have specific start and end times. They are entitled to two (2) paid rest periods of fifteen (15) minute durations after working four (4) hours, regulation 29 CFR 785.1

http://www.dol.gov/dol/allcfr/Title_29/Part_785/29CFR785.18.htm (rest period).

They are also entitled to a 30-60 minute unpaid lunch break in the middle of the work day, regulation 29 CFR 785.19

http://www.dol.gov/dol/allcfr/title_29/Part_785/29CFR785.19.htm (meal period).

On the day the furlough day is being observed it is the expectation the employee will not conduct any work including, but not limited to checking voicemail, answering/making phone calls, and reading/responding to emails, regulation 29 CFR 541.118

http://www.dol.gov/dol/allcfr/ESA/Title_29/Part_541/29CFR541.118.htm .