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**MEMORANDUM**

**To:** Principal Investigators

**From:** Martin Wybourne, Jon Kull

**CC:** Carolyn Dever, Mike Mastanduno, Duane Compton, Joe Helble, Matt Slaughter, Scot Bemis

**Date:** October 4, 2016

**Re:** **FLSA Regulatory Change – Impact on Research Associates**

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The Department of Labor has issued updated regulations that set a new minimum salary of \$47,476 for an employee to be exempt from overtime pay. These regulations go into effect December 1<sup>st</sup>, 2016. Jon Kull and I have been working with the academic Deans, the Provost, and Human Resources on how Dartmouth will implement the new Federal mandate as it applies to Research Associates A, B, and C, which include postdoctoral scholars. The NIH has already announced that it will raise the salary of postdoctoral scholars funded on NIH training grants and fellowships to the new FLSA minimum, and many institutions have made the decision to increase the salary of postdoctoral scholars to meet the FLSA regulatory change.

After exploring various options with Deans and the Provost, it has been decided that, effective December 1<sup>st</sup>, 2016, regardless of funding source, full-time Research Associates B and C at Dartmouth will be classified as exempt employees and will have a salary of at least the new FLSA minimum. In making this decision, we recognize the short term impact on research budgets and are working on a mechanism to help offset the increased expenses for one year. A further announcement will be made when we have finalized the details.

Following this decision, effective immediately, all new grant and contract budgets must include at least the new FLSA minimum for the salaries of full-time Research Associate B and C personnel, including postdoctoral scholars. Note, the minimum salary will be adjusted by the Department of Labor every three years.

Current Research Associates B and C who are part-time will be changed to have non-exempt status and will be paid hourly at a rate equivalent to their current annual salary, or equivalent of \$47,476 (\$22.83/hour), whichever is higher. These employees will be expected to record their hours and be paid overtime for any hours worked over 40 in a given week. Future part-time Research Associates B and C will be non-exempt.

Finally, Research Associate A's have, by definition, short term engagements of nine months or less. From December 1<sup>st</sup>, 2016 they will be considered hourly employees, which means time recording will need to be implemented.

We will continue to work with the Provost, Deans, principal investigators, and Human Resources as this new Federal requirement is implemented.