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Dartmouth

OFFICE OF HUMAN RESOURCES

May 15, 2009

Dear Employee,

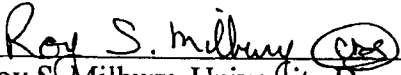
As you may be aware, the University recently completed an upgrade of its human resources/payroll computing system. During the preparation for this upgrade, the University became aware that the methodology it had been using to calculate the overtime rate for certain employees receiving differential pay was not fully consistent with the Fair Labor Standards Act (FLSA). The University promptly notified the United States Department of Labor (DOL) about this discrepancy, and we have been working with DOL to rectify the matter.


Effective with the upgrade to our new system, which occurred on May 4, 2009, the University has made all of the changes to its programming necessary to insure that the overtime rate is calculated in a manner that is fully consistent with FLSA requirements on a go-forward basis. Briefly, this means that any shift or weekend differential that employees receive will be included in the regular rate for purposes of calculating any applicable overtime payments.

This change first became effective in the pay period ending May 9, 2009 and will be reflected, where applicable, in the checks/advice employees receive on May 15, 2009. Depending on your circumstances, the check/advice you receive on May 15 may include additional compensation based on the revised overtime calculation. If you have questions about your pay for this period, please contact the Human Resources Office at x8060.

You should also be aware that the University, working in cooperation with the DOL, is in the process of calculating the amount of additional compensation that would have been paid to each affected employee, had the University's methodology for calculating the overtime rate been fully consistent with FLSA over the past two years. Once these calculations have been completed, and have been reviewed and certified by DOL, any affected employee will receive retroactive compensation for this two year period. This payment will be accompanied by a detailed breakdown showing how the retroactive amount was calculated.

We hope that retroactive payments can be made within the next two months. In the meantime, if you have any questions or concerns, please contact the Human Resources Office.

  
Roy S. Milbury, University Director, HR

  
Carol D. Santos, Assistant Vice Chancellor, HR

Office of Human Resources ■ [www.umassd.edu/hr/](http://www.umassd.edu/hr/)

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