College and University Professional Association for Human Resources

FLSA Injunction Responses – December 2016

Makeup of Responding Institutions

N = 495, response rate = .28 (outstanding)

		Frequency	Percent
Size	Fewer than 1,710	140	28.3
	1,710-3,580	145	29.3
	3,581-9,858	118	23.8
	More than 9,858	92	18.6
	Total	495	100.0

		Frequency	Percent
Affiliation	Public	203	41.0
	Private non-religious	152	30.7
	Private religious	140	28.3
	Total	495	100.0

		Frequency	Percent
Classification	System office	9	1.8
	Doctoral	121	24.4
	Master's	147	29.7
	Baccalaureate	135	27.3
	Associate's	74	14.9
	Special focus	9	1.8
	Total	495	100.0

Overall Responses to Injunction

		Frequency	Percent
Which of the following best characterizes your response to the delayed implementation of the DOL's new OT rule?	Implemented all changes	139	28.1
	Implemented some changes/ delayed some	159	32.1
	Delayed all	157	31.7
	Rolling back/reversing at least some changes	40	8.1
	Total	495	100.0

- Approximately equal percentages of institutions (around 30%) have opted to:
  - Implement all planned changes anyway
  - Implement some changes and delay others
  - Delay all changes
- Only 8% are rolling back/reversing changes already implemented

		Which of the following best characterizes your response to the delayed implementation of the DOL's new OT rule?				
		Implemented all changes	Implemented some/ delayed some	Delayed all	Reversing at least some	Total
Size	Fewer than 1,710	39	48	46	7	140
		27.9%	34.3%	32.9%	5.0%	100.0%
	1,710-3,580	45	37	48	15	145
		31.0%	25.5%	33.1%	10.3%	100.0%
	3,581-9,858	28	39	39	12	118
		23.7%	33.1%	33.1%	10.2%	100.0%
	More than 9,858	27	35	24	6	92
		29.3%	38.0%	26.1%	6.5%	100.0%
Total		139	159	157	40	495
		28.1%	32.1%	31.7%	8.1%	100.0%

- No significant differences by size

		Which of the following best characterizes your response to the delayed implementation of the DOL's new OT rule?				
		Implemented all changes	Implemented some/ delayed some	Delayed all	Reversing at least some	Total
Affiliation	Public	42	72	65	24	203
		20.7%	35.5%	32.0%	11.8%	100.0%
	Private non-religious	53	52	42	5	152
		34.9%	34.2%	27.6%	3.3%	100.0%
	Private religious	44	35	50	11	140
		31.4%	25.0%	35.7%	7.9%	100.0%
Total		139	159	157	40	495
		28.1%	32.1%	31.7%	8.1%	100.0%

- Publics least likely to have already implemented all changes
- Private religious least likely to take a mixed approach; more likely to either delay all or implement all
- Private non-religious least likely to delay all changes; private religious most likely to do so
- Publics most likely to reverse changes already implemented; private non-religious least likely to do so

		Which of the following best characterizes your response to the delayed implementation of the DOL's new OT rule?				
		Implemented all changes	Implemented some/ delayed some	Delayed all	Reversing at least some	Total
Classification	System office	3	4	2	0	9
		33.3%	44.4%	22.2%	0.0%	100.0%
	Doctoral	36	47	29	9	121
		29.8%	38.8%	24.0%	7.4%	100.0%
	Master's	36	41	58	12	147
		24.5%	27.9%	39.5%	8.2%	100.0%
	Baccalaureate	41	44	38	12	135
		30.4%	32.6%	28.1%	8.9%	100.0%
	Associate's	19	21	27	7	74
		25.7%	28.4%	36.5%	9.5%	100.0%
	Special focus	4	2	3	0	9
		44.4%	22.2%	33.3%	0.0%	100.0%
Total		139	159	157	40	495
		28.1%	32.1%	31.7%	8.1%	100.0%

- No significant differences by classification

For Those Implementing Some Changes/Delaying Some Changes (*N* = 159)

Which changes have been implemented or will proceed without delay? (Choose all that apply.)

	Frequency	Percent
Raising postdoctoral fellow salaries above the $47,478 threshold	21	41.2 (out of *N* = 51 doctoral)*
Reclassifying one or more positions from exempt to non-exempt	66	41.5
Raising salaries of one or more professional positions above the threshold	112	70.0
Changing working hours or other provisions for residential managers	24	15.1
Changing travel policies for one or more positions	18	11.3
Other	20	12.6

Which changes will be delayed or placed on hold? (Choose all that apply.)

	Frequency	Percent
Raising postdoctoral fellow salaries above the $47,478 threshold	11	21.6 (out of *N* = 51 doctoral)*
Reclassifying one or more positions from exempt to non-exempt	123	77.4
Raising salaries of one or more professional positions above the threshold	55	34.6
Changing working hours or other provisions for residential managers	47	29.6
Changing travel policies for one or more positions	35	22.0
Other	13	8.2

- For those with a mixed response, the change most likely to have been implemented is raising professional salaries above the threshold
- The change most likely to be delayed is reclassifying from exempt to non-exempt

*Only doctoral institutions that responded that they "implemented some/delayed some changes" were analyzed for this statistic.

For Those Reversing Some Changes (*N* = 40)

Which changes will be reversed? (Choose all that apply.)

	Frequency	Percent
All positions changed to non-exempt will be changed back to exempt	20	50.0
Some positions changed to non-exempt will be changed back to exempt	18	45.0
All salary adjustments will be reversed	6	15.0
Some salary adjustments will be reversed	3	7.5
Changes to working hours/other provisions for residential managers will be reversed	2	5.0
Changes to travel policies will be reversed	0	0
Other	6	15.0

- Most likely to be reversed are changes to exempt status for some or all positions