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**DOUGLAS COUNTY ADMINISTRATIVE  
POLICIES AND PROCEDURES**

**NUMBER:** 200.34  
**EFFECTIVE DATE:** 12/03/09  
**REVISED:**  
**AUTHORITY:**  
**COUNTY MANAGER:**  BOC  
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**SUBJECT: FLSA GUIDELINES – SAFE HARBOR**

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- I. PURPOSE:** This policy clarifies Douglas County's practice of exempt versus non-exempt classification for employees. Douglas County continuously makes a good faith commitment to comply with all provisions of Fair Labor Standards Act (FLSA) and state laws and intends this policy of correction to satisfy the "safe harbor" provisions of the FLSA regulations, as amended effective August 23, 2004.
- II. POLICY:** Douglas County will classify employees as exempt or non-exempt, in accordance with provisions of FLSA and applicable state law. Douglas County will endeavor to not make improper deductions of pay from any employee, regardless of exempt or non-exempt status, and will act to correct any errors as soon as practicable.
- III. PROCEDURE:**
- A. An employee who feels s/he is improperly classified as exempt or non-exempt shall request a review of their FLSA classification status in writing to their department head or Human Resources Manager.
  - B. After consultation with the department head and County Manager, the Human Resources Manager will investigate the matter in a timely manner.
  - C. Improper deductions should be reported to the Payroll Administrator or Comptroller.
  - D. If a non-exempt employee feels s/he has been improperly paid for overtime under the FLSA or state law, it is the responsibility of the employee to seek correction by reporting any error to the Payroll Administrator or Comptroller within twenty (20) working days of the close of the payroll period in which the error occurred. Any investigation will be conducted on a timely basis and Douglas County will act to correct any errors as soon as practicable.
- III. RESPONSIBILITY FOR REVIEW:** The Human Resources Manager shall review this policy as needed or at least once every 5 years.

12/03/09