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This Week's League News



LEAGUE NEWS



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Headlines

- 1 | **Statement of Municipal Policy is Available**
- 2 | **FLSA Regulations and Application to Salaried Employees**
- 3 | **City Needs & Services Survey Report**

1 | Statement of Municipal Policy is Available

At the League's Annual Conference, the Convention of Voting Delegates adopted the 2017 Statement of Municipal Policy (SMP). Developed by city officials through the League's policy committee process, the SMP defines the core principles of the League. The Action Agenda issues found in the SMP will be the highlight of discussion during the League's Regional Suppers taking place this week through early November. To view the SMP, please click here (http://c.ymcdn.com/sites/www.lkm.org/resource/resmgr/publications/WEB_2017-municipal-policy-up.pdf).

2 | FLSA Regulations and Application to Salaried Employees

The League has recently been receiving frequent calls asking about the new FLSA regulations and how those regulations apply to salaried employees. When evaluating the new changes to exempt employees under the FLSA, it is key to understand that salaried DOES NOT equal exempt. Exempt employees are those that (1) meet the salary test under the FLSA and (2) that by reason of job duties, as defined by FLSA, are exempt from overtime.

An employee may be salaried but not considered exempt under FLSA if they do not meet BOTH exemption tests. If your employee is salaried but not exempt, the employee's salary must be divided by the number of hours worked in a work week to ensure the employee's hourly wage is at least equal to \$7.25. If the employee works more than 40 in a week, they must be paid overtime. If the employee's average wage is less than minimum wage, the employee must be paid the difference.

Effective December 1, 2016, the salary test of the statute has been raised from \$455 per week, which annualizes to a yearly salary of \$23,660, to \$913 per week, which annualizes to \$47,476 per year. The duties test under the statute remains the same.

What should you do now?

- Analyze whether any salaried employees that you are currently treating as exempt employees are in fact exempt. Confer with your city attorney on this question.

- Analyze whether your exempt employees will continue to meet the new salary test and the duty test.
- Evaluate what might be changed about the jobs so that the current exempt employees may be treated as exempt in the future.
- Develop FLSA compliant pay plans for employees who will no longer be classified as exempt.

3 | City Needs & Services Survey Report

The League has published a report detailing its findings from a July survey inquiring as to whether cities were interested or in need of pursuing third-party contract services. The City Needs & Services Survey Report is based on responses collected from 108 cities across Kansas and found trends related to what services cities most commonly are in need of (i.e., code enforcement services) and what they are commonly not in need of (i.e., energy services). The report details cities' responses to whether there is currently a need for more specific services, such as pre-mitigation disaster planning, and what regions of the state are most in need of such services.

Based on the results of this survey, the report offers a brief analysis as to what such results mean within the context of current municipal trends. Additionally, the League is taking this survey's results and looking at potential avenues for how to help cities address some of the needs mentioned within the survey. To access a copy of the City Needs & Services Survey Report, please sign in to the League's website and go to the Research Library (<http://www.lkm.org/general/custom.asp?page=ResearchLibrary>) for this and other available data and research. For more information about the report, please contact Brock Ingmire (<mailto:bingmire@lkm.org>).

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