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[Higher Education Community Comments on Proposed New Rules on Overtime Pay](#)

The higher education community [has responded](#) to [proposals to amend](#) the Fair Labor Standards Act (FLSA), including increases in the minimum salary thresholds and regulations governing the "white collar" exemption for executive, administrative, and professional employees ([Washington Update](#), July 6, 2015).

While supportive of an increase in the minimum salary thresholds and periodic updates to the regulations to ensure the exemptions are not abused, the higher education community expressed concern that the "proposed minimum salary threshold is simply too high," in a [25-page letter](#) to the U.S. Department of Labor. The letter was written by the College and University Professional Association for Human Resources (CUPA-HR) and signed by NAICU and 17 other associations.

In the letter, the community urges the Labor Department to "lower the proposed minimum salary threshold and phase in the new level over time." It also urges the Labor Department not to implement an automatic annual update to the salary level tied to either the Consumer Price Index or the 40th percentile of weekly earnings of full-time salaried employees. It also calls for more than a 60-day notice for any future increases in the salary thresholds citing the impact salary changes have on university budgeting and finances.

The U.S. Department of Labor's Wage and Hour Division (WHD) proposed changes to the Fair Labor Standards Act in July 2015 after President Obama called for expansion of the number of workers who qualify for overtime saying: "...too many Americans are working long days for less pay than they deserve." The proposal is expected to increase overtime pay to some five million workers that are currently excluded under the law.

The FLSA generally requires employers pay employees overtime, based on a formula in excess of 40 hours per week. It exempts certain employees from the overtime pay requirements, most commonly those in the executive, administrative, or professional fields (white collar exemptions) if they earn above a certain baseline salary.

Teaching faculty are exempt from the proposed rules. According to the Labor Department, in determining coverage, only activities performed for business purposes are considered - and not charitable, religious, educational, or similar activities of organizations operated on a non-profit basis where such activities are not in substantial competition with other businesses.

The new rule would increase the minimum salary necessary to trigger eligibility for the white collar exemption. Had there been an automatic inflation adjuster in previous regulations, the amount would have already been set at just under \$48,000 per year in 2013. The Department of Labor is projecting that the 2016 level will increase to \$50,440 per year.

The proposal also provides for an automatic inflation adjustment based on Bureau of Labor Statistics data, so future rulemaking would be unnecessary. At the other end of the spectrum, the amount of earnings needed to reach the qualification for highly compensated employees would be raised to \$122,148 and also provides an automatic adjustment for inflation. To be sure, the proposed salary level increase to \$50,440 is substantial - and employers will need to consider the impact on their organization or institution.

For more information, contact Karin Johns, karin@naicu.edu

September 17 Is Constitution Day

Colleges and universities nationwide that receive federal funds are required to annually conduct an educational program relating to the United States Constitution on Sept. 17.

Congress passed the legislation in 2005 mandating the commemoration of the signing of the Constitution on September 17, 1787. Since the federal provision does not define "educational program," campuses have a great deal of latitude as to how to observe the event.

The [Library of Congress website](#) lists a number of resources for planning activities and recognizing Constitution Day. In addition, the [Constitution Center website](#) offers a number of idea starters.

The regulations do not indicate any penalties for failure to comply with the mandate, nor do they indicate that specific activities need to be reported.

NAICU encourages all of our members to embrace this opportunity to advance civic education.

For more information, contact Bo Newsome, bo@naicu.edu

It's Voter Registration Time in Kentucky, Louisiana and Mississippi

With gubernatorial elections this fall in Kentucky, Louisiana and Mississippi, college and universities in those three states are required to distribute voter registration forms to their students as prescribed in the 1998 Higher Education Act.

This requirement may now be met by providing access to the forms electronically through an email message devoted exclusively to voter registration.

The statutory language, as well as other helpful background materials, can be found at [HEA 101 Voter Registration Quick Guide](#). Students may register to vote or request an absentee ballot through the [Can I Vote website](#).

Voter Registration Events

The National Association of Secretaries of State (NASS) has declared September as **National Voter Registration Month**. The object is to celebrate democracy and make voting part of back-to-school and back-to-business routines. NASS encourages eligible individuals to register to vote, check their voter registration information, and sign-up for election alerts and reminders from state or local election offices.

NAICU member colleges and universities may choose to align planned voter registration activities with **National Voter Registration Day** on September 22, 2015. Last year, more than 154,000 Americans registered to vote through National Voter Registration Day partner locations and websites.

Volunteers and organizations from all over the country will hit the streets for this important civic event. Help organize a voter registration event on your campus, or link your existing event to National Voter Registration Day to take advantage of the many resources the coalition has to offer and to see your event listed on the NVRD national map. Visit the [National Voter Registration Day website](#) for more information.

For more information, contact Bo Newsome, bo@naicu.edu

Save the Date for the 2016 NAICU Annual Meeting

College and university presidents, government and public affairs personnel, as well as the presidents of state and mission-specific higher education associations, will gather January 31-February 3, 2016 in Washington, DC, for the [NAICU Annual Meeting and Advocacy Day](#). The theme for the 2016 meeting is *Capitol Conversations: Meeting the Challenge of Change*.

The premier policy and advocacy event for private, nonprofit higher education, NAICU's Annual Meeting is designed to brief college leaders on the most urgent policy issues affecting higher education. The meeting features high level panelists such as thought leaders, authors, elected officials, researchers, and media members discussing the issues that will shape private colleges and universities over the next decade.

This year's meeting will kick-off with the **Charlie Cook/Stuart Rothenberg** "Presidential Handicapper" Reception providing meeting attendees with the opportunity to hear two of the foremost political reporters assess the 2016 Presidential Election races. In addition, other keynote speakers are **Judy Woodruff**, co-anchor and managing editor at the *PBS NewsHour*, and **Michael Gerson**, fellow at the Wheaton Center for Economics, Government, and Public Policy at Wheaton College (IL), nationally syndicated *Washington Post* op-ed columnist, and former assistant for policy and strategic planning to President George W. Bush.

Attendees also spend part of the meeting on Capitol Hill visiting with their elected representatives during NAICU's Advocacy Day. Much is at stake for NAICU members, making it critically important to take the case for private, nonprofit higher education directly to the Hill.

Plan to be in Washington for these important conversations, and for the learning, sharing and networking that are part of the NAICU Annual Meeting. Program information and meeting and hotel registration information are available on the [NAICU website](#).

For more information, contact Deborah Reilly, deborah@naicu.edu

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