

Under the Fair Labor Standards Act (FLSA), community college professors can be exempt from overtime pay requirements if they meet the criteria for the professional exemption for teachers

This exemption applies if their primary duty is **teaching, tutoring, instructing, or lecturing to impart knowledge**, and they are employed by an educational establishment.

It's important to note that **the salary level and salary basis tests generally do not apply to bona fide teachers** for this exemption.

Key considerations

- **Primary Duty:** The core of the exemption lies in the employee's main responsibility being teaching or related instructional activities.
- **Educational Establishment:** Community colleges are considered educational establishments for the purposes of this exemption.
- **Actual Job Duties:** The determination of whether a professor is exempt depends on their specific job duties, not solely on their job title or whether they are full-time or part-time.
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In essence, if a community college professor's primary role is directly involved in the instruction of students, they would likely be exempt from FLSA overtime provisions.

- Fact Sheet #17S: Higher Education Institutions and Overtime Pay Under the Fair Labor Standards Act (FLSA) | U.S. Department of Labor

The Department will update this notice with additional information as it becomes available. This fact sheet provides information on the exemption from minimum w...



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