

OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION

PERSONNEL POLICIES

Policy: Overtime and Compensatory Time
For Classified Employees

Effective Date: December 10, 2001

Policy Number: 302.0

Approved By:

Policy

A. Classified employees who are subject to the provisions of the Fair Labor Standards Act shall receive overtime compensation at the rate of one and one-half times the employee's regular hourly rate or accrue compensatory time at the rate of one and one-half hours for all hours worked over forty (40) hours in a workweek in accordance with Department of Administration Personnel Policies and Procedures, Policy Number 3-0210 and the provisions of this policy. The provisions of this policy prevail over any conflicting provisions in the Department of Administration Policy. No employee may receive overtime compensation or accrue compensatory time during a work week in which compensatory time off, annual leave, or sick leave was used.

B. Overtime should be avoided whenever possible. Daily work schedules may be modified within the forty (40) hour work week to accommodate workload fluctuations without accrual of compensatory time or payment of overtime.

C. Employees must receive permission from their immediate supervisor to work overtime or accrue compensatory time. Advance written approval may be required by the supervisor to use accumulated compensatory time. If compensatory time will be accrued for overtime hours worked in lieu of payment at the overtime rate, an understanding to that effect must be reached between the employee and the supervisor prior to the authorization to work overtime hours. Accrual of compensatory time is preferred over payment of overtime. Typically, overtime pay will be authorized only in extraordinary situations.

D. Overtime and noncompensatory time shall be earned and used in increments of no less than one-half hour.

E. When accrual of compensatory time is authorized, the following provisions shall apply:

1. The maximum amount of compensatory time which may be accumulated is 160 hours of overtime worked or 240 hours of compensatory time. Program Directors may establish lower maximums.
2. An employee must have the appropriate supervisor's prior approval to use accumulated compensatory time. The dates when compensatory time off shall be granted shall be determined by agreement between employees and their supervisor.
3. If employment is terminated, any unused compensatory time will be paid to the employee at the regular rate of pay at the time of termination or the average regular rate received by the employee during the last three (3) years of the employee's employment, whichever is higher. A program director may establish other timeframes in which compensatory time must be used or will be cashed out.

References:

Regent Policy 708.1