

COMPENSATION FOR OVERTIME WORK FOR NON-EXEMPT PERSONNEL

Policies and Procedures: F-II-a, 1

The College will grant non-exempt employees compensatory time off at the rate of one and one-half hours for each hour worked in excess of 40 hours within a given workweek or will pay for the overtime at the rate of one and one-half times the regular rate of pay. All time worked by employees in excess of 40 hours during any week must be approved, in advance, by the appropriate supervisor and vice president or the president.

All approved overtime must be essential and critical to office operation. Within the limits of funds budgeted for overtime pay in the area or office concerned, each of the vice presidents will be responsible for determining instances in which the employee will be paid for overtime. Any payment for overtime work shall be made for the pay period in which the overtime occurs.

Compensatory time off for overtime work may be taken at any time and in any amount mutually agreeable to the employee and to the supervisor involved, and may be accumulated not to exceed 90 compensatory hours. In the event an employee has unused compensatory time at the time of termination, he/she will be allowed to use it at that time or will be paid at the regular rate of compensation earned by the employee at the time of termination. When an employee transfers from one position to another within the Institution, any unused compensatory time may be transferred to the new position, providing that transfer of compensatory time is agreeable to the receiving supervisor.

Vice presidents and supervisors should establish administrative controls to assure that only essential overtime is authorized. Individual supervisors are responsible for maintaining a cumulative record of compensatory time due and used by each employee under his/her direction. This record will be maintained on a standard form provided by the Office of Human Resources.

Vacation, holiday, sick leave, and other paid absences or leaves are not counted as hours worked for the purpose of assessing overtime compensation. In situations in which the employee has not worked more than 40 hours in a workweek but the total hours worked and hours of paid leave or paid holidays exceed 40 hours, the employee shall be paid at the regular rate including time in excess of 40 hours, or be allowed equal time off for the excess hours. This time off may be taken at any time and in any amount mutually agreeable to the employee and supervisor involved.

The regular workweek begins at 12:00 a.m. on Saturday and ends on Friday at midnight. For purposes of overtime compensation, each workweek stands alone.

Two weeks cannot be averaged together to avoid overtime. The hours worked in a workweek can be adjusted in anticipation of overtime hours in order to maintain the 40 hour workweek. This policy applies to employees covered by Fair Labor Standards Act (FLSA) and the Fair Labor Standards Amendments of 1985. FLSA provides for specific exemptions from the Act for certain classes of employees from its overtime pay requirements. Determination of exemption status for individual employees will be made by the Human Resources Office in accordance with Federal regulations. Employees will be informed of their "exempt" or "non-exempt" status upon employment. When there is any doubt concerning an employee's status, advice from the Office of Human Resources should be obtained. Employees exempt from overtime provisions of the FLSA are executive, administrative and professional, as defined by the Act. Normally, support staff employees are considered non-exempt with the exception of a few support staff supervisory and teaching staff.