

## **PROCEDURE 303-2**

### **OVERTIME AND COMPENSATORY TIME OFF**

**Effective 05-01-2021, Resolution No. 014-21**

#### **Scheduling Overtime**

When overtime is required, overtime assignments will be distributed as equitably as practicable to all employees qualified to perform the required work. Nonexempt employees will initially be given the opportunity to request overtime work assignments. If an insufficient number of qualified employees request the assignment, supervisors may schedule and assign overtime or extra shifts on an as-needed basis.

#### **Compensation for Overtime**

Nonexempt employees who work in excess of 40 hours per workweek will be paid overtime or, at the discretion of the department/agency/office, will receive compensatory time off. The supervisor must notify the employee in advance of working the overtime hours if the employee will receive compensatory time off in lieu of overtime.

Overtime is paid at one and one-half times the regular rate of pay for each hour actually worked in excess of 40 hours per workweek. Compensatory time off is calculated at one and one-half hours of paid time off for each hour actually worked in excess of 40 hours per workweek. "Regular rate of pay" is calculated by determining the employee's total pay for the workweek, including base rate, shift differential pay, and other elements of pay as required by law, and dividing by the total number of hours actually worked. Hours paid but not worked (e.g., on-call, vacation, or sick) are not included in the calculation of overtime.

Workweeks cannot be combined or averaged to determine if the employee is eligible for overtime. Although employees are paid on a biweekly basis, overtime eligibility is assessed at the end of each workweek.

Employees may not work overtime without the prior approval of their supervisor. Employees must report and will be compensated for unauthorized overtime; however, they will be subject to corrective action for failure to seek prior approval.

#### **Accrual and Use of Compensatory Time**

When used, compensatory time off must be recorded on time records. It is considered paid time off and not hours actually worked.

Nonexempt employees in public safety positions may accrue a maximum of 480 hours of compensatory time. All other nonexempt employees may accrue a maximum of 240 hours of compensatory time. Upon transfer from one department/agency/office to another, a promotion or reclassification to an exempt position, or separation from employment, employees will be paid for accrued but unused compensatory time.