

Subject: Overtime and Compensatory Time

Board Policy Reference: DEA (LOCAL) Compensation and Benefits – Salaries and Wages

OVERTIME AND COMPENSATORY TIME

It is the policy of Temple College to allow overtime to be paid or compensatory time (comp time) to be accrued for non-exempt employees. Non-exempt employees are subject to the Fair Labor Standards Act (FLSA) provisions including the payment of overtime. Non-exempt employees, Classified and designated hourly professional staff, are required to account for and record hours and fractional hours worked on a timesheet. Exempt employees, faculty and non-hourly professional staff, are not subject to the overtime provisions of the FLSA and are thus not eligible for overtime or comp time. A workweek for purposes of calculating overtime or comp time is a consecutive 168-hour period starting at 12:00 AM Saturday and ending at 11:59 PM Friday.

Overtime or comp time is defined as the amount of time actually worked that exceeds forty (40) hours within a workweek provided the employee has actually worked an initial 40 hours within that same workweek. Overtime or comp time is calculated at one and one half times the time actually worked over the initial 40 hours worked within a workweek. Overtime or comp time is accrued on a weekly basis, not daily. If an employee records paid holidays, annual leave, use of accrued compensatory time, sick leave or any type of Temple College approved leave and hours actually worked during a workweek on their timesheet and if the resulting total calculation is over 40 hours overtime will not be paid or comp time will not be accrued.

The following two examples illustrate actual time worked and overtime/comp time calculation:

Example One

The Total hours reported in week one include 9 hours of vacation and 31.75 total hours worked. Although the weekly total is 40.75 hours, the .75 hours will not be counted as overtime and will be paid as straight time. It is due to the fact that the total hours reported during that workweek include 9 hours of vacation time.

| Day | MM/DD | Time In | Time Out | Time In | Time Out | Total Hrs. Worked | V/L | S/L | H/L | Other - Explain | Total Hrs. Reported |
|------|--------|---------|----------|---------|----------|-------------------|-----|-----|-----|-----------------|---------------------|
| Sat | 8-Nov | | | | | | | | | | |
| Sun | 9-Nov | | | | | | | | | | |
| Mon | 10-Nov | 7:45 | 12:00 | 1:00 | 6:00 | 9.25 | | | | | 9.25 |
| Tue | 11-Nov | | | | | 0 | 9 | | | | 9 |
| Wed | 12-Nov | 7:30 | 12:00 | 1:00 | 6:00 | 9.5 | | | | | 9.5 |
| Thur | 13-Nov | 8:00 | 12:00 | 1:00 | 6:00 | 9 | | | | | 9 |
| Fri | 14-Nov | 8:00 | 12:00 | | | 4 | | | | | 4 |

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|-------------|--|--|--|--|--|-------|---|--|--|--|-------|
| Week totals | | | | | | 31.75 | 9 | | | | 40.75 |
|-------------|--|--|--|--|--|-------|---|--|--|--|-------|

Example Two

The total hours reported in week two do not include any leave time taken. The total hours worked are 42 hours, 40 regular and 2 overtime. The two (2) hours worked overtime are then calculated as follows: Two (2) hours overtime times one point five (1.5) which equals three (3) hours ($2 \times 1.5 = 3$). The non-exempt employee may choose to be paid the three hours worked as overtime or accrued as three hours of comp time. If the employee has already accrued 80 hours of comp time, the three hours will be paid as overtime.

| Day | MM/DD | Time In | Time Out | Time In | Time Out | Total hrs. worked | V/L | S/L | H/L | Other - Explain | Total hrs. reported |
|-------------|--------|---------|----------|---------|----------|-------------------|-----|-----|-----|-----------------|---------------------|
| Sat | 15-Nov | | | | | | | | | | |
| Sun | 16-Nov | | | | | | | | | | |
| Mon | 17-Nov | 7:30 | 12:30 | 1:00 | 6:00 | 10 | | | | | |
| Tue | 18-Nov | 8:00 | 12:00 | 1:00 | 6:00 | 9 | | | | | |
| Wed | 19-Nov | 7:00 | 12:00 | 1:00 | 6:00 | 10 | | | | | |
| Thur | 20-Nov | 8:00 | 12:00 | 1:00 | 6:00 | 9 | | | | | |
| Fri | 21-Nov | 8:00 | 12:00 | | | 4 | | | | | |
| Week totals | | | | | | 42 | | | | | 42 |

It is the option of the employee either to be paid overtime or to accrue comp time. However, any comp time hours accrued over the 80 hour limit will be paid as overtime in the month it was accrued.

Leave requests to use comp time accruals is a management prerogative and should be administered in consideration of the needs of the College and the departments involved.

Overtime or comp time hours must be approved by the immediate supervisor prior to accruing the overtime or comp time. It is recommended that any comp time hour(s) accrued be used the month after it was accrued.

Comp time is accrued up to an 80 hour limit but the accrued hours up to the 80 hour limit will not be allowed to carry over to the next fiscal year. Any accruals up to the 80 hour limit will be paid out on August 31.

Grant funded, non-exempt employees receiving comp time, if accrued and not used by the end of the fiscal year, will be paid for the remaining comp time in conjunction with their regular monthly check at the end of the College's fiscal

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year, August 31 of each year, subject to grant stipulations. If grant funds are not available or if grant stipulations do not provide for a payout of this accrual, the non-exempt employee must use the accrued time before the end of the fiscal year.

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