



Department: Human Resources
Policy Number: HUM-A085
Effective Date: 2/27/17

ADMINISTRATIVE POLICY

The online version of this policy is official.
Therefore, all printed versions of this
document are unofficial copies.

OVERTIME/COMPENSATORY TIME

Non-exempt employees (referred to as classified or hourly) are paid on an hourly basis. There will be times that non-exempt employees will work in excess of forty (40) hours per week, or hours beyond their normal weekly schedule. Deviations from an employee's work schedule must be preapproved by the appropriate supervisor. When this occurs, non-exempt employees will be compensated with compensatory time off or overtime pay. Hours physically worked in excess of forty (40) hours per week is accrued for compensatory time at a rate of one and one half (1 ½) times the additional hours worked or paid at a rate of one and one half (1 ½) times an employee's regular hourly rate. Hours worked beyond an employee's regular schedule but less than forty (40) hours will be accrued equivalent to the additional time worked or paid at the employee's regular hourly rate.

Whenever possible, compensatory time off should be used instead of overtime pay. If the additional time worked is going to be billed to an outside party (example: under a facilities use agreement) then the time should be designated as overtime pay. If overtime pay is being requested rather than compensatory time and it is not being billed to an outside party, then the supervisor should be able to justify the reason.

Pursuant to federal law, such covered non-exempt employees may accrue up to 240 hours of compensatory time as approved by the appropriate supervisor. If an employee works any additional time beyond their regular hours after 240 hours of compensatory time has accrued, the employee will receive pay for that time.

Pursuant to federal law, any employee who has accrued compensatory time off and requests use of the compensatory time shall be permitted to use such time off within a reasonable period after making the request unless it would "unduly disrupt the operations"¹ of his/her CMCSS worksite. Supervisors may schedule employees to use compensatory time based on the need of the school or department.

Non-exempt employees whose regular work schedule is less than forty (40) hours per week will be granted compensatory time off for hours worked in addition to his/her regular hours up to and including forty (40) hours. For example, if a non-exempt employee normally works thirty (30) hours per week and is authorized by supervisor to work thirty-five (35) hours one week the employee will be granted five (5) hours of compensatory time.

Non-exempt employees must utilize accrued compensatory time prior to utilizing accrued personal or vacation leave. Non-exempt employees are not required to utilize accrued compensatory time prior to utilizing accrued sick leave.

Implementing Procedures: [PAY-P007](#) Overtime/Compensatory Pay

¹ "Unduly disrupt" means it would impose an unreasonable burden on the worksite/department's ability to provide services of acceptable quality or quantity for the public during the time requested without the use of the employee's services. 29 CFR §553.25(d).



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Definition of Non-exempt position: A position that is paid on an hourly basis and are eligible for compensation time or over-time pay as budget permits. Classified CMCSS Employees are classified as non-exempt.

Associated Documents: [HUM-M001](#) Employee Handbook
29 CFR §553.21
29 CFR §553.25

Revision History:

| <u>Date:</u> | <u>Rev.</u> | <u>Description of Revision:</u> |
|--------------|-------------|---|
| 2/27/17 | | Initial Release |
| 6/4/18 | A | Added definition of non-exempt position. |
| 7/8/19 | B | Removed "at times" from first sentence. |
| 10/20/23 | C | Updated to reflect that an employee who plans a deviation from his/her schedule should get that preapproved, rather than just approved. |

***** End of Policy *****