

POLICY #8.5.1

SUBJECT: Overtime (non-Exempt Personnel)

I. PURPOSE

The purpose of this Policy is to outline the Overtime policy and procedures of Southern Utah University.

II. REFERENCES

- A. *Fair Labor Standards Act*

III. DEFINITIONS

- A. Overtime: Overtime represents time actually worked by a non-exempt employee in excess of 40 hours during any workweek. The workweek is defined as the period between Saturday morning at 12:01 AM and the following Friday evening at midnight.

IV. POLICY

- A. Employees are designated as either exempt or non-exempt from Overtime compensation in accordance with the Fair Labor Standards Act. Professional, supervisory, or management employees are designated as exempt and are not eligible for Overtime compensation. Employees designated as non-exempt are eligible for Overtime compensation.
- B. Work in excess of eight (8) hours in any workday is not Overtime. Only where more than 40 hours are actually worked in any one (1) workweek does Overtime occur. (Time off for vacation, holidays, leave, sickness, etc., are not included as hours actually worked.) Daily hours may be varied within a workweek to accomplish necessary workloads and to limit or eliminate the necessity for Overtime, but supervisors shall also exercise care that extended work schedules do not result in fatigue-related safety problems.
- C. Department heads and supervisors shall schedule their departmental workloads to preclude the need for Overtime whenever possible. Payment for Overtime requires the final approval of the cognizant President, Provost, or

Vice President, and employees are not authorized to work Overtime without the prior approval of the immediate supervisor. The only exception to this is an emergency situation where the immediate supervisor must approve the Overtime on an after the fact basis.

- D. Supervisors may choose to use paid Overtime or compensatory time to recognize Overtime actually worked. Compensatory time cannot be used when the total compensatory time accumulated by an employee reaches a ceiling of 120 hours (80 hours of Overtime multiplied by 1.5). Overtime worked above the ceiling necessitates payment.
- E. Compensatory time shall be accumulated at the rate of one and one-half times the Overtime hours actually worked. Payment of Overtime shall be at one-and-one-half (1.5) times the regular hourly rate. A justification and explanation from the employee's immediate supervisor must accompany any Overtime requests for payment or compensatory time, along with the properly signed time card (signed by the employee and his/her immediate supervisor) covering all the hours actually worked in the week in which the Overtime occurred.
- F. Employees who have earned and granted compensatory time must use the time within 180 calendar days following the day on which it is earned. Supervisors shall provide opportunity for the use of compensatory time within the 180-day limit.
- G. Compensatory time not used at termination will be paid at the normal hourly rate multiplied by the hours of compensatory time accumulated as defined in Section IV.E.
- H. Supervisors are responsible for maintaining accurate records of compensatory time earned and used. See the required form "Department Record of Overtime Earned, Compensatory Time Used and/or Payment for Overtime" which is an integral part of this policy. A copy of this updated form must be submitted to the human resources office monthly. A copy of the required Form, records, and related time cards must be maintained by the immediate supervisor for the current and past four fiscal years and must be available for audit purposes.
- I. Overtime shall be reported in increments of one-quarter (0.25) hour. All paid Overtime will be charged to the hourly wage budget of the department.

V. RELEVANT FORMS/LINKS

N/A

VI. QUESTIONS/RESPONSIBLE OFFICE

The responsible office for this Policy is the [Vice President for Finance](#). For questions about this Policy, contact the [Office of Human Resources](#).

VII. POLICY ADOPTION AND AMENDMENT DATES

Date Approved: October 15, 1993

Amended: July 1, 1998

FORMER POLICY
DO NOT USE