

3354:1-41-01.2 Overtime procedures for full time non-bargaining non-exempt and exempt employees.

(A) Administrator, professional and support staff.

The standard workweek for administrator, professional and support staff employee classifications consists of thirty-seven and one-half hours. The workweek starts at 12:00 a.m. on Monday and ends at midnight on Sunday. The standard workday for administrator, professional and support staff employee classifications consists of seven and one-half hours, which includes provision for two fifteen minute rest breaks at mid-points in the first and second halves of the workday. At mid range within the workday, a one hour meal break is provided, but is not a part of the seven and one-half hour workday.

(B) Public safety supervisors and building, grounds and service supervisors.

For public safety supervisors and building, grounds and service supervisors, the standard workday consists of eight hours, which includes the provision for two fifteen minute rest breaks at mid-points in the first and second halves of the workday. At mid range within the workday, a one-half hour meal break is provided, but is not a part of the eight hour workday. For public safety supervisors and building, grounds and service supervisors, the standard workweek consists of forty (40) hours. The workweek is a one hundred and sixty-eight hour period commencing from the start of the employee's first regular shift in the workweek.

(C) Overtime.

(1) Salaried and hourly non-exempt employees.

- (a) Under the provisions of the Fair Labor Standards Act, salaried and hourly non-exempt employees must be paid for all hours worked in excess of forty (40) hours in a workweek. Hours worked in excess of forty (40) hours includes hours worked from home as well as hours worked before and after the standard workday described in sections (A) and (B) of this procedure. Salaried and hourly non-exempt employees must request and receive approval from their supervisor prior to working in excess of forty (40) hours in a workweek.

- (b) A supervisor should authorize overtime only in the event of unusual circumstances. Each supervisor should carefully review the work to be done to determine whether it could be incorporated into the regular departmental workload, be performed by temporary employees or completed with the assistance of personnel from other departments. The supervisor, after authorizing overtime, should review the circumstances to determine the reasons and try to eliminate those circumstances which would require overtime in the future.
- (c) Supervisors must review and may, but are not obligated to, approve any deviations from the standard workday and must take the responsibility to ensure that time submitted by employees is an accurate record of time actually worked. Moving hours worked from one workday to another and the use of compensatory time off is prohibited. Hours must be paid as they are actually worked.
- (d) When it is necessary for an employee to work overtime, the supervisor should be available to answer questions and to make decisions as necessary.
- (e) Supervisors should check employees' time reports regularly to be sure that the standard workweek is maintained.
- (f) For salaried and hourly non-exempt employees, overtime shall be paid at a rate of time and one-half the regular rate. The time and one-half rate shall begin for hours worked over forty (40) hours in one workweek.

- (g) Employees of the College who are classified as non-exempt must be treated as non-exempt for all work performed for the College.
- (h) Full-time, non-exempt employees will generally be paid only on the basis of the bi-weekly time report.
 - (i) If it becomes appropriate and necessary to utilize a full-time, non-exempt employee for duties outside of that employee's regular job description, such work must be performed on an hourly basis and if total hours worked exceed regular time hours (as defined under the Fair Labor Standards Act), such hours must be compensated at the appropriate premium time rates based on the employee's rate of pay earned on the regular full time position.
 - (ii) As an example, if a full-time, non-exempt employee of the College is assigned additional duties as a part-time lecturer or as a substitute, the College is required to treat the additional work effort on an hourly basis, to maintain required non-exempt payroll records, and to pay overtime for all hours worked in excess of forty (40) hours in one week.
- (i) Sick leave time used is not included in determining the numbers of hours actually worked in any given workday or workweek. All paid holiday, vacation and personal leave hours shall be counted as hours worked for the purpose of computing overtime.

- (j) Hours shall be recorded to the nearest one-tenth hour.
- (2) Exempt employees are not eligible for overtime payments.
- (D) Only the President or the Executive Vice President of Administration and Finance may permit any deviations from the above provisions.
- (E) The President or the President's designee is hereby directed to take all steps necessary and appropriate for the effective implementation of this procedure.

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Procedure amplifies: 3354:1-41-01