

**OVERTIME AND COMPENSATORY TIME
FOR UNIVERSITY ADVANCEMENT STAFF**

UA PPS 02.01

Issue No. 1

Effective Date: 03/01/2008

Review Date: 01/12 (E4Y)

01. POLICY STATEMENT

01.01 The compensatory time and overtime policies and procedures of this PPS strive to provide maximum flexibility to account managers. However, all policy and procedure decisions are subject to normal administrative review and approval, and must comply with applicable federal, state, and University requirements (see UPPS 04.04.16).

02. GENERAL

02.01 Categories of Employees

Non-exempt and Exempt. These are terms used in relation to the Fair Labor Standards Act (FLSA). Non-exempt employees are covered by the Act, exempt employees are not. Non-exempt employees include all classified/non-exempt staff; exempt employees include all unclassified/exempt staff, administrative officer/exempt staff, and selected graduate student employees.

02.02 Terms

The term “overtime” refers to time earned at the rate of 1.5 hours for 1 hour under the provisions of the FLSA. Only non-exempt employees are eligible for “overtime”.

The term “compensatory time” refers to time earned at the rate of 1 hour for 1 hour under the provisions of the state compensatory time program. Both exempt and non-exempt employees are eligible for “compensatory time”.

02.03 Full Time Non-exempt Employees

It is University policy to keep non-exempt employee paid hours in excess of 40 to a minimum. However, as a condition of employment, non-exempt employees may be required to work schedules that will result in paid time in excess of 40 hours per week. When this occurs, the paid time in excess of 40 hours is recorded as FLSA overtime or state compensatory time as appropriate.

FLSA overtime or state compensatory time work is not permitted on a voluntary basis and must be authorized by the supervisor. A non-exempt employee must be compensated for all hours worked in excess of the standard 40-hour week as follows:

A. Regular (FLSA) overtime

Non exempt employees may use FLSA overtime off at the rate of 1.5 hours for each hour over 40 worked during the workweek. FLSA overtime will be taken first regardless of the time frame in which FLSA or compensatory time was earned. An exception may be made by the supervisor if state compensatory time is about to expire.

UA non-exempt employees will keep their accumulation of FLSA to no more than 50 hours. All exceptions must be submitted in writing and approved by the appropriate supervisor and the Vice President. Once an employee has accrued 100 hours and has not used it as leave, all additional FLSA overtime will be paid in cash at the employee's regular rate. The appropriate UA departmental account will be charged.

B. Straight (State) Compensatory Time

State compensatory time must be taken during the 12-month period following the end of the workweek in which the time was accrued or it will lapse and be lost. Cash payment for lapsed state compensatory time is not authorized.

C. Taking Time Off

Supervisors are encouraged to accommodate, to the extent practical within University policy, the employee's use of accrued FLSA overtime and state compensatory time.

02.04 Full-time Exempt Employees

Exempt staff in the University Advancement Division may accrue and use compensatory time as provided in UPPS 04.0416, Overtime and Compensatory Time Policy:

- A. The University would prefer to keep the combination of actual work hours and paid leave hours in excess of 40 per week for exempt employees to a minimum. However, the University recognizes, as a condition of employment, that all exempt positions

are expected to work whatever hours are required to meet the requirements of the position.

- B. The Vice President for University Advancement will determine if and how the taking of state compensatory time by exempt employees of other than energy conservation days will be permitted in the University Advancement Division. No more than 24 consecutive work hours of compensatory time, excluding energy conservation days, may be used at any one time.
- C. All state compensatory time off is at the discretion of the supervisor. Any time taken should be at a time that is mutually agreeable to both the employee and supervisor.
- D. The recording of exempt employee state compensatory hours does not guarantee or create an obligation that any state compensatory time off for these hours must be granted.

02.05 Part-Time Non-exempt Employees (Regular and Non-regular)

- A. Hours up to 40:

Employees must be paid cash for each hour up to 40 in any workweek resulting from the combination of hours worked and paid leave.

- B. Hours beyond 40:

Regular employees must be compensated for all hours worked in excess of 40 in any workweek in accordance with UPPS 04.04.16, Section 02.03.

Non-regular employees must be compensated for all hours worked in excess of 40 in any workweek at time and one-half.

02.06 Part-time Exempt Employees

- A. Hours up to 40:

Employees may be awarded compensatory time in accordance with UPPS 04.04.16, Section 02.03 for each hour up to 40 in any workweek that exceeds the number of hours the employee was appointed to work that week. Employees may not be paid cash for such hours.

- B. Hours beyond 40:

Employees who work in excess of 40 hours in any workweek shall be compensated in accordance with the provisions of UPPS 04.04.16, Section 02.04.

03. PROCEDURES

All FLSA overtime and state compensatory time is to be taken at a time that is mutually agreeable to both the employee and the supervisor.

Use of FLSA overtime and state compensatory time must be documented in the individual's university leave record.

The Vice President for University Advancement must approve any use of compensatory time, excluding energy conservation days, that exceeds 24 consecutive work hours.

04. REVIEWERS OF THIS PPS

Reviewers of this PPS include the following:

Position

Executive Assistant – Senior Reviewer
Vice President for University Advancement

05. CERTIFICATION STATEMENT

This PPS has been approved by the following individuals in their official capacities, and represents Texas State policy and procedure from the date of this document until superseded.

Executive Assistant, Division of University Advancement
Vice President for University Advancement