

POLICY STATEMENT 61 EMPLOYEE OVERTIME

POLICY DIGEST

Monitoring Unit: Office of Human Resource Manao0 scn /o0.3 ((o0 scntTc 0.009 Tw 8.52 0 0 tTc 0.05 0.114 0EM)-230 8D)-1D3 IEM!i#R•R5(#V ä@%

workweek for overtime computation. This excludes hours for holidays or leave taken in the workweek, and the employee will not be eligible for the premium rate (1.5) until they have actually worked 40 hours. Overtime compensation may be paid, or compensatory time may be awarded for hours worked over 40 hours in a work week.

The Fair Labor Standards Act has a provision that law enforcement and fire protection *Title 29 § CFR 553.230* may have a variation in overtime, whereas overtime is not assessed until after up to 86 hours in a 14 day work period is worked. All LSUPD positions whose duties meet the characteristics as outlined in the Law Enforcement and Fire Protection provisions of the FLSA will not be paid at the time and one-half rate until the hours actually worked exceed 84 hours in the two week work period that begins on the first Saturday of a wage period at 12:01 am through midnight Friday of the second week of the wage period. This excludes hours for holidays or leave taken in the work period, and the employee will not be eligible for the premium rate (1.5) until they have actually worked 84 hours. Overtime compensation may be paid or compensatory time may be awarded for hours worked over 84 hours in the work period.

Hourly employees exempt from the FLSA earn overtime (paid or compensatory time) on an hour-for-hour basis (paid: regular hourly rate times the number of overtime hours; or compensatory time: number of overtime hours). Hourly, Non-exempt employees covered by FLSA earn overtime (paid or compensatory time) at a time and one-half rate (paid: regular hourly rate multiplied by 1.5 multiplied by the number of overtime hours; or compensatory time: 1.5 multiplied by the number of overtime hours).

Staffing should be planned so that most jobs require minimal overtime. Other alternatives should be considered when significant and recurring overtime is required such as additional temporary help, redistribution of the workload, or postponement of the work. Overtime pay should not be used soi(b)10 (e us)14 (edCP04 Tc -0.002 Tw -29.025)d

It is the responsibility of HRM to determine the FLSA status (i.e., exempt or non-exempt) of all job classes. The status for each job is reflected in the LSU Pay Plans for classified employees provided to all departments and available from HRM's website under the compensation section. Employees may inquire about their exemption status with HRM if there are any questions or concerns.

C. Compensatory Time (K-time)

Departments may offer compensatory time to employees working beyond their 40-hour per week schedule in lieu of payment for overtime. Each department will have the option to select the compensation mode, either compensatory time off or payment for working greater than 40 hours per week; or 84 hours for eligible LSUPD positions. The compensatory time rate is earned at the same rate as for paid overtime: non-exempt (time and one-half) and exempt (regular rate) employees.

FLSA provisions and Civil Service rules limit each employee's total compensatory time accrual to a maximum of 240 hours; 480 hours for police and protective service positions. Lower limits may be established by a department. Departments must use paid overtime to compensate employees once the employee's compensatory time limit is exceeded. Compensatory time must be exhausted before annual leave is used by the employee. Compensatory time earned but not taken will be paid to the employee upon promotion to an unclassified Exempt position, transfer to another campus, or separation from LSU. Departments should encourage use of compensatory time when possible to reduce LSU's payout liability. With the concurrence of HRM, departments may require an employee to take all or part of the compensatory time at any time. Departments may pay compensatory time balances in whole or in part for hourly employees in the department at any time.

Compensatory time earned at other state agencies by employees transferring to LSU will not be credited.

D. Paid Overtime

Departments must limit the amount of paid overtime earned by an employee to the extent possible. Typically, if an employee earns an amount of overtime more than \$5,000 or 30% of base salary, then the department should contact HRM about alternatives to overtime. Departments may be asked to provide written explanation if excessive overtime is taken or earned.

E. Holiday Pay and Overtime

All eligible staff receive payment for up to 14 holidays per fiscal year (see PM 5 for holidays and PS 12 for leave). Holiday pay is based on the number of hours in the employee's regular work schedule (e.g., eight hours of holiday pay is received if the employee regularly works eight hours per day).

Some hourly staff are required to work on a holiday. Non-exempt, hourly employees who work on a holiday (or a designated holiday, if the holiday falls on their day off) will be paid time and a half for hours worked on the holiday, regardless of the number of hours worked that week and, in addition to holiday pay. Exempt, hourly employees who work on a holiday (or designated holiday) will be paid their regular rate hour-for-hour for hours

worked on the holiday, regardless of the number of hours worked that week and, in addition to holiday pay.

F. Overtime in Emergencies

The President may authorize pay or compensatory time up to the time and one-half rate in addition to regular pay for any non-exempt classified employee who are required to work in response to a national or local emergency, act of God, or other situations of an extraordinary nature, which threaten life and property and represent real danger and/or hardship to the employee. Exempt classified employees may be paid or given compensatory time at their regular rate on an hour-for-hour basis in addition to their regular pay for work during these emergency situations.

G. Department Responsibility

Departments which frequently require hourly workers to work overtime (paid and/or compensatory time) must develop written procedures for administering overtime. The department must make the procedures known to their employees. The procedures should contain the method of authorizing overtime, advance notification, selection for overtime work, and criteria for determining mode of payment (i. e., compensatory time or payment).

IV. OVERTIME AUTHORIZATION

A. Budgeted Overtime

It is the expectation that departments that have justifiable recurring overtime needs have an overtime line item established in their budgets. Normal budgetary and payroll procedures apply.

B. Unbudgeted Overtime

Departments without department funds for paid overtime may offer compensatory time for overtime prior to offering payment for overtime. However, departments not having budgeted overtime may request paid overtime before the overtime hours are worked, by obtaining approval from their Unit Head for consideration of their budget.

C. Records

Each department shall designate an employee to be responsible for maintaining and

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