

Policy: **Exempt Compensatory Time/Non-Union Employees**
Policy Number: 40.0
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References: FLSA, Title 29 USCA Chap. 8, Sec. 201-219, as amended
Approved By: James E. Todd, Vice President
Administration and Finance

All University policies are available in an alternative format upon request.

I. POLICY

Establish standards for the administration of exempt compensatory time for University employees not subject to the overtime provisions of the Fair Labor Standards Act (FLSA). State and federal law do not require the University to make the accrual or use of compensatory time available to exempt employees.

II. DEFINITIONS

As used in this policy the following definitions apply:

- (1) "Exempt compensatory time" means time accrued on an hour-for-hour basis for time in a pay status in excess of 40 hours in a workweek. Employees should neither be required nor permitted to work in excess of 40 hours unless essential to the operations of a department. Exempt compensatory time is not intended to provide any compensation in addition to the established salaries. Rather, it is a means of providing greater flexibility in scheduling time for exempt employees. Accrued time may be taken as paid time off at a later date if approved by the appropriate supervisor.
- (2) "Exempt employee" means an employee in a position designated as executive, administrative, or professional as set forth by the FLSA and which is not subject to the overtime provisions of the FLSA. Employees on Regents Contract appointment are excluded from this policy.

III. ADMINISTRATION OF EXEMPT COMPENSATORY TIME

Exempt Non-Union Classified Employees

- (1) Non-union classified employees who are exempt from the FLSA may accrue and use exempt compensatory time as defined in this policy.

- (2) Hours worked in excess of 40 in a workweek shall be reported on the employee's official time card during the month in which it is earned or be forfeited.
- (3) Exempt compensatory time shall be earned, recorded, and used in no less than one-hour increments.
- (4) An exempt employee's supervisor determines whether hours worked by the employee in excess of 40 in a workweek will be accrued as exempt compensatory time. The supervisor may approve or deny the accrual of exempt compensatory time either before or after the hours are worked.
- (5) An exempt employee must obtain approval from his/her supervisor in advance, whenever possible, to work hours, which may result in the accrual of exempt compensatory time.
- (6) In no instance shall an exempt employee accumulate more than 160 hours of exempt compensatory time.
- (7) Accrued exempt compensatory time may be taken off by the employee on a date mutually agreed to by the employee and the supervisor during the employee's regular work schedule. If a mutually agreeable date cannot be identified, a supervisor may require an exempt employee to take accrued exempt compensatory time off during any workweek.
- (8) A supervisor may adjust the schedule of an exempt employee within a workweek to avoid the accrual of compensatory time.
- (9) Exempt compensatory time may be transferred with the employee to another University department, provided the new department agrees. A department is not obligated to accept any exempt compensatory time when an employee transfers from another department. The department, at its discretion, may agree to accept some or all accrued exempt compensatory time, up to a maximum of 160 hours.
- (10) There shall be no lump sum cash compensation for accrued compensatory time upon transfer or upon termination of employment.
- (11) Accrued exempt compensatory time shall not be used to extend an employee's termination date.

Regent's Contract Exempt Employee

This policy is not applicable to exempt employees on Regents Contract appointment.