

COMPENSATORY TIME

There are two kinds of compensatory time: one for non-exempt employees and another for exempt employees. The terms "exempt" and "non-exempt" relate to applicability of the Fair Labor Standards Act. Generally, employees who are paid by the hour are non-exempt, such as Operating Staff, and all others are exempt.

Normal business hours are 8-4:30 (8-5). Employees aren't expected to work beyond these hours unless special arrangements are made in advance. Cooperataive Extension doesn't budget for overtime pay but in special instances overtime and/or compensatory time may be required.

Non-Exempt Employees

Federal law requires employers to give employees who work overtime the option to receive compensation either as pay or as paid time off. If eligible for overtime at the time and one-half rate, the employee, who opts for compensatory time, will receive that time at the time and one-half rate. For instance, one hour of work that qualifies for overtime will give the employee one and one-half hours of either comp time or pay. There are some rules on the use of comp time.

1. Overtime work must be authorized by the Cooperative Extension Business Office prior to being worked by the employee and recorded on the time and attendance record.
2. There is a limitation of 240 hours of accumulation (480 hours for Public Safety Personnel) per fiscal year.
3. Comp time must be used up by June 30 of eacy year, as it cannot be carried over to the new fiscal year.
4. Comp time must be used before the employee transfers to another department.

Exempt Employees

There is no compensatory time off in the legal sense inasmuch as the Fair Labor Standards Act does not require it for them. The University, however, recognizes that exempt employees are sometimes required to put in excessive hours of work as a regular part of their jobs, especially in connection with special events. Time off to compensate for these exceptional periods of work can be worked out between the department supervisor and the exempt employee. Typical examples are:

1. working on a holiday (exempt employees do not receive special pay for this);
2. working weekend events, such as graduation or alumni weekend; and
3. working during and emergency.

There is no need to document this kind of "release time". If the extra work is not considered to be part of the regular duties of the person's position, supplemental pay may be appropriate.

The expectation is that exempt employees will work the hours necessary to complete the work and comp time is the exception; not the norm. Exempt employees and their supervisors should discuss work load as part of the performance appraisal process or whenever the work situation appears to be a problem.