

# Overtime

1. Only non-exempt employees are eligible for overtime pay in accordance with the Fair Labor Standards Act (FLSA).
2. The University pays 1½ times an eligible employee's regular rate for hours worked in excess of 40 hours in any one workweek. Hours worked between 37½ and 40 in a workweek are not considered as overtime.
3. An employee is expected to work reasonable and necessary overtime when scheduled by the supervisor.
4. The supervisor may, in his/her discretion, work with the employee to adjust the employee's work schedule so that the employee does not work more than 40 hours in a workweek. If an employee's schedule is "flexed" or modified to prevent the employee from working more than 40 hours in a workweek, all adjustments must be made within the same workweek (Sunday through Saturday, not just within a seven-day period). Averaging of hours over two or more weeks is not permitted per FLSA guidelines.
5. Working more than 8 hours in a workday does not constitute overtime.
6. Fluctuating Workweek - Salaried non-exempt full-time employees whose weekly hours worked vary between 28 - 40 hours per week will receive ½ time rather than 1 ½ time for hours completed in excess of 40, according to FLSA. The Human Resources/Payroll designation will be determined in coordination with the employee's supervisor and communicated to the eligible employee.
7. Holidays, vacations, emergency closing hours, and personal leave are never credited as work time for the purpose of calculating overtime pay.
8. Non-exempt employees are not permitted to work more than 40 hours during a workweek unless the supervisor has approved additional hours in advance/prior to the employee working. Overtime work shall be authorized only when necessary. Failure to acquire authorization prior to overtime hours being completed is a direct violation of the Overtime Policy and is subject to disciplinary action.
9. Non-exempt employees who work outside of the normally scheduled business day to return calls, check email, or perform other work tasks regardless of the location, or perform on their mobile devices must be compensated. These business activities should be added to the time card and must have prior supervisor approval (see Section 8 above).
10. Regardless of whether the employee received permission to work overtime as required, the employee will be paid for all overtime hours worked pursuant to the FLSA. Any employee or supervisor who knowingly falsifies a time card or who pressures an employee to report fewer hours than the employee worked is subject to disciplinary action up to and including termination.
11. Overtime pay may not be waived for non-exempt employees: the overtime requirement may not be waived by agreement between employer and employees.