

## H. Councill Trenholm State Community College

POLICY NAME:	<b>Comp-Time Policy / Overtime Compensation</b>
EFFECTIVE:	March 17, 2014
REVISED:	March 17, 2014
APPROVED BY POLICY COMMITTEE	Yes
APPROVED BY PRESIDENT'S CABINET	4-9-2014

H. Councill Trenholm State Community College has adopted a policy and practice that complies with the overtime provisions of the Fair Labor Standards Act of 1938, As Amended.

Copies of the detailed College policy on overtime may be reviewed in the Business Office.

This policy provides for the granting and accrual (up to 240 hours) of compensatory time off for authorized overtime hours worked beyond 40 hours in any workweek to only those employees for which such compensatory time off is required to be granted by the Fair Labor Standards Act of 1938, As Amended. Individuals earning compensatory time may choose to be paid at 1½ times their normal hourly rate.

Such compensatory time off is not mandated by the law as to all employees. For example, instructors, librarians, counselors, most administrative personnel and some support personnel are generally not entitled to receive compensatory time off for such overtime. The College has classified each employee as eligible (non-exempt) or ineligible (exempt) to receive compensatory time. Please contact the Human Resource Office should you desire to inquire of your individual classification for such purpose.

If you are eligible to receive compensatory time off, College policy requires that certain written records be maintained as to your hours worked in each workweek. No employee eligible to receive compensatory time off is to work more than 40 hours in any workweek without prior authorization from the appropriate Dean. An Over-Time/Compensatory Time Earned Form must be completed, approved and submitted to the Business Office before any credit for overtime may be given. On this form, the employee must indicate whether he/she intends to take compensatory time in return for the additional work hours or whether he/she prefers to be paid at the 1½ times normal hourly rate. When compensatory time off is to be taken, a Leave Request must be completed, indicating this is compensatory time, and submitted for approval the same way any other type leave would be requested.

An employee who has earned compensatory time off and requests to use such time shall be permitted to use such time within ninety (90) days after earning the said compensatory time, if such request does not—unduly disrupt the operations of the institution. Mere inconvenience is not considered to be unduly disruptive. However, a request to use compensatory time at the beginning of an academic quarter or semester, or to use such time during a period of final examinations or grades, and during important college projects may be unduly disruptive regardless of when the request is made.

An employee who has accrued compensatory time off shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation not less than—

(A) The average regular rate received by such employee during the last 3 years of the employee's employment, or

(B) The final regular rate received by such employee, whichever is higher

(Reference: 29 USCA sec. 207(o), as amended)