

31.01.09.D1.01

Overtime

Approved: March 6, 2014

Revised: November 14, 2016

September 17, 2020

Next Scheduled Review: September 17, 2025



Procedure Summary

Texas A&M University-Central Texas (A&M-Central Texas) will comply with the Fair Labor Standards Act (FLSA) for nonexempt employees. A&M-Central Texas will also follow the policies and rules set forth in System Policy 31.01 and System Regulation *31.01.09 Overtime*.

Definitions

Workweek – a fixed and regularly recurring period of seven consecutive 24-hour periods (168 hours).

Pay Period – a predetermined set of consecutive calendar days during which an employee's work hours are recorded and for which a payroll check is subsequently produced.

Fair Labor Standards Act (FLSA) – a federal statute which governs the administration and compensation for overtime.

Non-Exempt/Classified staff employees – Employees who are not exempt from FLSA overtime provisions.

Workday – the Texas A&M University cloud based system used for online time keeping and for tracking the accumulation and usage of paid and non-paid leave.

Normal Duty Hours – the hours that a non-exempt employee is approved to perform work for the University.

Regular Hourly Rate – determined by the hourly rate set for the particular position in the budget.

State Compensatory Time – When a classified/non-exempt employee has not worked more than forty hours during a workweek, but the total of hours worked plus paid leave, holidays, and compensatory time exceeds forty hours, the department shall grant state compensatory time off on a straight time basis for the excess hours.

Procedure

1. GENERAL

- 1.1 In accordance with System Regulation *31.01.09 Overtime*, all employees must obtain advance authorization prior to working overtime from their immediate supervisor. The preferred method of notification is an email between the nonexempt employee and his/her supervisor. After the employee's request, the supervisor should reply within 48 clock hours. This will serve as an approval confirmation. If the supervisor does not approve the overtime, further communication between the employee and the supervisor is expected. If the situation does not allow for the advance authorization, such as emergency response or on-call response, an alternate method, such as text messages on mobile devices or verbal communications may be used. If the supervisor is not available or does not respond in a reasonable time, the employee may work the overtime but must obtain the authorization as soon as possible.
- 1.2 A&M-Central Texas awards compensatory time instead of paying for overtime except as permitted in limited circumstances, as detailed in sections 3.2, 4.2, and 5 of System Regulation *31.01.09 Overtime*.

2. CALCULATION OF COMPENSATORY TIME

- 2.1 FLSA Compensatory Time is calculated automatically in Workday by taking hours worked in excess of 40, and multiplying those hours by 1.5, to determine the total amount of compensatory time earned for that workweek.
- 2.2 State Compensatory Time is calculated when an employee has not physically worked more than 40 hours in a workweek but the total hours worked and hours of paid leave or paid holidays exceed 40 hours the employee will earn one hour of compensatory time for every hour in excess of 40 in a workweek. An employee may accrue compensatory time only for hours worked at a regular duty station or approved duty station.
- 2.3 All unused State compensatory time expires 12 months after the end of the workweek in which the additional hours were worked.

3. EARNED OVERTIME

- 3.1 Overtime hours earned and not paid should be documented and updated in Workday on a weekly basis.
- 3.2 FLSA compensatory time must be used prior to using vacation leave as outlined in System Regulation *31.01.09 Overtime*.

4. PAID OVERTIME

4.1 To have overtime paid instead of banked, the department must submit a memo requesting approval to pay overtime up through the appropriate vice president and then on to Payroll for processing. The memo provides overall approval to have any or all overtime paid and must include justification for the payout and proof of funds available in the budget.

4.2 System practice is to minimize FLSA overtime worked and the resulting compensatory time balances in accordance with System Regulation 31.01.09, Overtime.

5. EXEMPT EMPLOYEES

5.1 Exempt employees are not eligible for overtime payment or compensatory time off. Full-time exempt employees are expected to work a minimum of 40 hours per week in fulfilling the requirements of their positions.

6. LIMITATIONS

6.1 Compensation time must be used prior to using vacation time.

6.2 Employees who work in a public safety, emergency response or seasonal activity may accrue no more than 480 hours of compensatory time. All other nonexempt employees may accrue no more than 240 hours of compensatory time.

Related Statutes, Policies, or Requirements

[System Regulation 31.01.09 Overtime](#)

Contact Office

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