



Overtime Pay and Compensatory Time #1710.230

INITIAL EFFECTIVE DATE: July 1, 2005	LAST REVISION DATE: May 7, 2025	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT Compensation Administration, Division of Human Resources
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POLICY STATEMENT

In compliance with the U.S. Department of Labor, Fair Labor Standards Act (FLSA), non-exempt eligible employees are entitled to overtime pay at one and one-half times their hourly rate for all hours actually worked in excess of 40 hours in a work week. In addition, compensatory time may be earned by certain non-exempt staff employees in lieu of overtime pay for all hours actually worked in excess of 40 hours.

SCOPE

Overtime Pay Policy applies to all non-exempt employees. Compensatory Policy applies to all non-exempt staff employees.

REASON FOR POLICY

The policy is in accordance with the U.S. Department of Labor, FLSA with regard to the provisions relating to state and local government employers that are defined as public agencies.

DEFINITIONS	
TERM	DEFINITIONS
Non-Exempt Employee	A non-exempt employee is a worker who is entitled to overtime pay and minimum wage as described in the Fair Labor Standards Act (FLSA) administered by the Wage and Hour Division of the U.S. Department of Labor.



Exempt Employee	An exempt employee is a worker who does not receive overtime under the Fair Labor Standards Act (FLSA) which is administered by the Wage and Hour Division of the U.S. Department of Labor.
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ROLES AND RESPONSIBILITIES

Compensation Administration: Responsible for the organization’s management of pay practices for non-faculty employees including the oversight for policies relating to the overtime and compensatory time.

- RELATED RESOURCES**
- www.dol.gov/agencies/whd/flsa
 - www.dol.gov/agencies/whd/overtime2019index

CONTACTS

Compensation Administration
11200 SW 8 ST, PC 224
Miami, Florida 33199
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HISTORY

Initial Effective Date: July 1, 2005
Review Dates (*review performed, no updates*): June 24, 2024
Revision Dates (*updates made to document*): April 4, 2017; November 17, 2020; May 7, 2025.



Overtime Pay and Compensatory Time # 1710.230a

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PROCEDURE STATEMENT

Non-exempt employees are entitled to overtime pay at one and one-half time their hourly rate for all hours actually worked in excess of 40 hours in a work week.

1. The overtime rate calculation is based on the regular rate of pay, which includes the hourly pay and all additives.
2. All overtime hours must be authorized by the immediate supervisor prior to the employee working the overtime. Any employee working overtime without prior authorization will be subject to discipline.
3. At the discretion of the supervisor/ department head, compensatory time may be earned by non-exempt staff employees in lieu of overtime for all hours actually worked in excess of 40 hours. Compensatory time is credited at the rate of one and one-half times the number of hours in excess of 40 hours worked in a work week. Temporary non-exempt employees are not eligible for Compensatory Time.
4. Non-exempt staff employees must use accrued compensatory time within one-hundred eighty (180) days of its accrual, provided that to do so would not unduly disrupt the operations of the University. If the accrued compensatory time is not used within one-hundred and eighty (180) days, the University shall make cash payment to the employee for the overtime hours worked.
5. Special compensatory time may be earned on an hour-for-hour basis by a staff
6. employee occupying a non-exempt position when:
 - a. The employee observed a holiday and worked 40 hours the week during which the holiday occurred;
 - b. The holiday falls on the employee’s regularly scheduled day off;
 - c. The employee is required to work the holiday;
 - d. The employee is required to perform essential duties during an emergency closing for the hours worked during the closing.



7. Exempt employees are not entitled to compensatory time or overtime pay for hours worked in excess of 40 hours per week.
8. When an employee is changed from a non-exempt to an exempt position, all accrued compensatory time will be paid before the change takes place.
9. When an employee is transferred to a new department, all accrued compensatory time may either be paid or transferred, at the discretion of both departments involved in the transfer.
10. Any employee with accrued compensatory hours on record with Human Resources as of July 1, 2005, is excluded from having to use or be paid the accrued hours within the one-hundred eighty (180) day period. Hours accrued after July 1, 2005, will be subjective to the terms of this policy.