



*University Staff/American Federation of State, County
and Municipal Employees AFL-CIO (AFSCME)*

| SUBJECT (R*) | EFFECTIVE DATE (R*) | POLICY NUMBER (O*) |
|---|---------------------|--------------------|
| OVERTIME PAY AND COMPENSATORY TIME (AFSCME) | June 2, 2017 | 1725.215 |

POLICY STATEMENT (R*)

Non-exempt 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.

The overtime rate calculation is based on the regular rate of pay, which includes the hourly pay and all additives.

All overtime hours may only 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

At the discretion of the supervisor/department head, compensatory time may be earned by non-exempt employees in lieu of overtime pay 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 workweek.

Non-exempt employees must use accrued compensatory time within 180 (one hundred eighty) 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 - 180 (one hundred eighty) days, the University shall make cash payment to the employee for the overtime hours worked.

Special compensatory time may be earned on an hour-for-hour basis by an employee occupying a non-exempt position when:

- the employee observed a holiday and worked 40 hours the week during which the holiday occurred;
- the holiday falls on the employee’s regularly scheduled day off;
- the employee is required to work the holiday;
- the employee is required to perform essential duties during an emergency closing for the hours worked during the closing.

Exempt employees are not entitled to compensatory time or overtime pay for hours worked in excess of 40 hours per week.

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.

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.

Any employee with accrued compensatory hours on record with Human Resources on December 24, 2011 is excluded from having to use or be paid the accrued hours within the - 180 (one hundred eighty) day period.

The normal workweek for each full-time employee shall be forty (40) hours. The University retains the right to schedule its employees; however, the University will make a good faith effort, whenever practical, to provide employees with consecutive hours in the workday and consecutive days in the workweek.

Upon agreement of the employee and the University, non-exempt employees shall receive either compensatory leave or cash payment for overtime. If agreement cannot be reached, the University shall make cash payment for overtime worked.

The university will maintain an online leave status of the compensatory time for each employee as part of the online leave balance system.

REASON FOR POLICY (O*)

To establish a policy for overtime pay and compensatory time for non-exempt employees.

PROCEDURES (O*)

A Rotation Overtime List shall be created for each department to fairly distribute any overtime and will be updated as needed and posted on the last day of the workweek. The selection of overtime shall come from a rotation list that is based on seniority. The list will start with the most senior to the least senior employee in the department. The University will go to the first person on the list and work its way down. If that person cannot work the overtime, then he/she is placed at the bottom of this list. If that person cannot be reached, then the University skips him/her and goes to the next employee; however, he/she remains where he/she is at on the list for the next time (he/she is not placed at the end of the list).

HISTORY (R*)

Adopted: September 22, 2006; Readopted: November 14, 2008; August 19, 2013; June 2, 2017.

RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT (R*)

Division of Human Resources
Florida International University

RESPONSIBLE ADMINISTRATIVE OVERSIGHT (R*)

Compensation Administration
Division of Human Resources
11200 S.W. Eighth Street, PC 226
Miami, Florida 33199
Telephone: (305) 348-2181

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***R = Required *O = Optional**