

OGDEN-WEBER TECHNICAL COLLEGE	Number 520.17	Effective Date 4/23/98 Revised 6/14/16 2/23/17 8/24/23	Page 1 of 1
POLICY	Approval: Board of Trustees		
Title OVERTIME – NON-EXEMPT EMPLOYEES			

1. PURPOSE AND SCOPE

The purpose of the policy is to establish procedures for paying overtime to non-exempt employees required to work beyond their scheduled 40 hours per week.

2. POLICY

It is the policy of the College to pay non-exempt employees for hours worked over 40 in a workweek at a rate not less than time and one half of the employee's regular rate of pay.

3. DEFINITIONS

3.1 Workweek: A workweek is a period of 168 hours during seven consecutive 24-hour periods. The College's workweek begins and ends at midnight on Saturday.

3.2 Hours Worked: Per the Fair Labor Standards Act, "In general, 'hours worked' includes all time an employee must be on duty, or on the employer's premises or at any other prescribed place of work, from the beginning of the first principal activity of the workday to the end of the last principal work activity of the workday. Also included is any additional time the employee is allowed (i.e., suffered or permitted) to work." Non-exempt employees must be paid for all hours worked in a workweek. Only hours actually worked count in the overtime calculation. Therefore, holidays not worked, vacation days, sick days, etc., are not counted. Determination is based upon hours worked rather than hours paid.

3.3 Eligible Employee: Any non-exempt employee who meets the overtime threshold as indicated in the Fair Labor Standards Act. Exempt employees are not eligible for overtime pay.

4. REFERENCES

- Ogden-Weber Technical College Personnel Classifications policy (#520.5)
- Fair Labor Standards Act

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1. The use of overtime is generally discouraged and should be avoided through proper scheduling of department workloads. With the exception of certain emergency situations, all overtime shall be approved in advance by the supervisor.
 - 1.1 A supervisor shall schedule a non-exempt employee's workload to preclude the need for overtime whenever possible. However, when overtime is required to meet the demands of work, a non-exempt employee shall be permitted to work overtime as authorized in writing by the employee's immediate supervisor.
 - 1.2 In some situations, prior approval for overtime may not be feasible (e.g., emergencies or situations where the best interest of the College is at stake). Non-exempt employees shall receive payment for overtime in these situations. Under these conditions, employees must contact their immediate supervisor as soon as possible but no later than the following day in which overtime is worked.
2. Overtime shall be reported in increments of one-quarter hour on a non-exempt employee's timesheet. The overtime rate is one and one-half times their regular hourly rate. Time worked by non-exempt employees in excess of 40 cumulative hours in one workweek shall be considered as overtime.
3. Overtime payments shall be issued on the regularly scheduled payday for the work period in which it was earned.
4. Non-exempt employees who are required by the College to remain on call when off duty but whose normal activities are not restricted by the on-call status are not considered to be working under the law. If an employee's normal activities are restricted by on-call status, then such hours are considered work hours.
5. Compensatory time in lieu of overtime is not permitted for any employee.
6. Each workweek must be considered separately in determining overtime hours. Therefore, time over 40 hours worked in one week may not be offset against time under 40 hours worked in another.
7. College management has the right, within reasonable limits, to require non-exempt employees to work overtime.

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8. Non-exempt employees who work overtime without the approval of their supervisors shall be paid and are subject to disciplinary action.