Summary/Purpose: The University is covered by the minimum wage and overtime provisions of the Fair Labor Standards Act, as amended. An explanation is given of minimum wage, how to use and maintain the Departmental Time Record, and how performing additional work for another department is regulated. The general procedures are given for earning Compensatory Leave when a non-exempt employee works overtime.

The University is covered by the minimum wage and overtime provisions of the Fair Labor Standards Act, as amended. All faculty, executive, administrative, and other professional staff are exempt from the provisions of this policy.

The minimum wage paid by the University is $5.15 per hour. The minimum wage rate for students is at least the minimum Federal wage.

The Departmental Time Record (UM4/HR12) is used by budget officers to record the hours worked by non-exempt employees. This record must be maintained on all non-exempt employees and signed by the employee and department head upon completion. The UM4/HR12 is to be retained in the department office for seven years and be made readily available for audit. If there is any question concerning the exempt status of any employee, please consult with the Department of Human Resources. Often employees will meet the salary test for exemption, but the type work performed does not qualify them for exemption. Students are covered by these regulations, and time records must be kept on all student employees except Graduate Instructors.

Occasionally full-time University employees with one department will be asked to perform additional work for another University department without knowledge of the department in which the employee works full time. Since all funds expended through the University are subject to the overtime regulations, this practice is not allowed without explicit approval as it may cause overtime to be paid to the employee involved.

When overtime is worked by a non-exempt employee, the following general procedures will be followed:

University employees will receive Compensatory Leave for work in excess of their normal workweek in accordance with the provisions of the Fair Labor Standards Act. All hours worked in excess of 40 hours in a week will accrue on an hour and a half earned per hour worked basis. Employees should be allowed to use Compensatory Leave within a reasonable period of time after it is earned.

The maximum amount of Compensatory Leave that an employee may accrue is 240 hours or 480 hours for public safety, emergency response, or seasonal employees. Employees working in excess of the normal workweek after the accrual maximum has been reached must be compensated at straight time for those hours less than 40 in a week and at the overtime rate of time and one-half for those over 40 in a week.
Accrued Compensatory Leave must be used prior to use of accrued Personal Leave.

Upon termination, employees must be paid for unused Compensatory Leave. The rate of pay will be the final regular rate received by the employee, or an average of the employee's regular rate for the last three years of employment, whichever is greater.

No payment of overtime will be permitted by a University employee unless approved by the department head concerned and the respective vice chancellor.

The University's standard workweek begins at 12:01 a.m. on Monday and runs through midnight on Sunday. The University will count authorized enrollment in course work by an employee during working hours as hours worked and will not deduct this time from hours worked in the standard workweek.