



Personnel Policy 2.14

Overtime

Staff covered by this policy

This policy applies to Service Maintenance employees at South Bend.

A. Definition

1. Overtime is defined as time worked with supervisory permission in excess of the number of hours called for in the full-time (40 hours per week), basic daily or weekly work schedule. Part-time employees are eligible for overtime for hours worked in excess of 40 hours per week.
 2. Overtime work shall not be permitted except when absolutely necessary. It is a responsibility of supervisors to plan and schedule work so that it can be performed within the regularly scheduled hours.
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B. Scheduling

1. Occasional "finishing up" time at the end of the workday of less than 15 minutes in excess of the daily work schedule need not necessarily be recognized as daily overtime subject to compensation, except in areas subject to the "8 and 80 rule." It may be compensated by equal time late arrival or early departure on another day of the same workweek, unless such finishing up time results in more than 40 hours being worked in the workweek, in which case it will be recorded as overtime at the end of the workweek for compensation.
2. When advance scheduling permits, placement in an overtime rotation schedule among employees is given in order of occupational unit seniority, with the condition that actual assignment of overtime must be management's prerogative dependent upon the employee's ability to satisfactorily perform the required work. If a department passes over an employee on the overtime rotation schedule, the employee will be offered an opportunity for an equal number of overtime hours lost as a result of the error. It is understood that employees will perform reasonable overtime assignments when required, except where cases of personal emergency exist.
3. Personnel whose responsibility is primarily managerial or supervisory should not be called back to work on compensable overtime, nor assign themselves to work compensable overtime, unless the supervisory function is required for the work

performance and would so be provided for such work during regular hours.

4. A staff member who is called back to work in the regular position outside the scheduled workday, necessitating an additional trip to and from work outside the normal workday, is compensated for a minimum of two hours at time and one-half.

**C. Overtime
compensation for
appointed employees**

1. Appointed employees must be compensated for overtime worked at a rate equal to one and one-half times the hourly rate for the duty or service performed. This compensation may be granted in one of the following ways:
 - a. The employee may be compensated at a rate of pay equal to one and one-half the hourly rate for the duty or service performed on the regular payday for the period in which the overtime was worked.
 2. The hourly rate used to determine the overtime rate will be adjusted upward to include any temporary pay, bonus pay, or other premium pay that the employee received during the period in which the overtime was worked.
 - a. The employee may be compensated by time off without loss of pay at one and one-half times the number of overtime hours worked. Compensating time accumulations should not exceed 80 hours and should be used within six months of the date earned.
3. Appointed staff members shall have their option of payment for overtime or time off, providing they initial a note to their department head indicating their desire in time to process the affected payroll. Time off will be taken at a mutually agreeable date within six months of the date worked.
4. If a department has no funding for overtime pay, written agreements that compensating time off is the only option available should be made with staff in advance of a request for overtime work.
5. Secondary employment of full-time employees by another department in excess of their daily or weekly work schedule must be compensated by payment at one and one-half times the rate of the overtime work performed. This requires the advance agreement between the employee and the secondary department and must be based on a bona fide rate.
 - a. If a less than 100 percent FTE appointed employee has multiple university jobs, the rate of compensation for time worked in excess of 40 hours in a work week will be the

weighted average of the rates for all university jobs for which time was recorded for the employee during the workweek.

- b. There are occasional and sporadic hourly jobs such as ticket takers and special event ushers which an appointed employee may be hired to perform. With advance authorization, these jobs are paid at the regular rate of pay for the job. Contact the campus human resources office if questions arise.
6. Departments are responsible for maintaining internal records of compensating time earned. Compensating time earned and used are to be reported to the Payroll Department.
7. When an employee promotes or transfers to another department, any accumulated compensating time is to be granted as time off or paid off as overtime pay before the move.

D. Overtime policy for biweekly staff when on duty away from campus of normal work assignment

1. When a non-exempt appointed staff member is required by his/her department to perform a work assignment, attend class, etc., at a location away from the campus of his/her normal work assignment, the following policy should be adhered to if the assignment involves an overtime accrual:
 - a. Travel time in excess of the time required to travel from the employee's residence to his/her normal work station, provided it is outside of the normal daily work schedule, should be considered as overtime hours worked. Any break in such travel time for meals is not compensable and should be subtracted out of the overtime hours accrued. If such travel should require overnight lodging, the time that the employee is free to "come and go" as he/she pleases is not considered as overtime worked.

E. Stand-by compensation

Employees who are required to be on stand-by outside of their regular scheduled work hours for seven or more consecutive days shall receive 5.4 hours of pay at their regular rate for each full seven consecutive day stand-by assignment period. When a week requires more than 88 hours of stand-by assignment, the number of hours of stand-by compensation will be determined by dividing the number of hours of stand-by assignment by 16.3 and rounding to the nearest tenth of an hour. This is in addition to any compensation that the employee is otherwise eligible for under section B.4. of this policy. There will be one on-call list maintained *and employees in the SMOQ mechanical maintenance rank and above will serve in the on-call rotation. The employee is responsible for the week assigned or finding a substitute in advance. The supervisor shall be notified in the event of a substitute as soon as possible.* If the employee on stand-by is unable or unqualified to handle the matter, the supervisor shall be immediately notified.

F. Shift Premium

1. The shift premium will be paid according to the following schedule:
 - a. For regularly scheduled shifts that begin between 11:30 a.m. and 7:59 p.m., \$0.36 per hour worked.
 - b. For regularly scheduled shifts that begin between 8:00 p.m. and 3:59 a.m., \$0.46 per hour worked.
2. Any work schedule that includes both Saturday and Sunday as regularly scheduled workdays, a 50-cent per hour premium will be paid for all hours worked in the work schedule.
3. An employee who is regularly scheduled and works a full day on either Saturday or Sunday will be paid the 50-cent per hour premium for those hours.