

# Overtime Policy

## Sample Policy #1

### Overtime

The \_\_\_\_\_ strives to ensure that employees are generally able to complete their work tasks within the work week. In case of emergency or unforeseen circumstances, an employee may be requested to work over 40 hours in a work week. Any time scheduled over 40 hours must be pre-authorized by the supervisor.

It is not considered overtime if an employee works over 8 hours in one day. However, the total hours worked should not exceed 40 hours for that week (Sunday through Saturday).

Overtime will be paid at the rate of one and one-half times the regular rate of pay for any hours worked over 40 within one work week (Sunday through Saturday).

Each work week (Sunday through Saturday) is considered separately in computing overtime and all other pay.

#### *Exempt and Non-Exempt Employees*

- Employees who meet the criteria outlined in Section 13(a)(1) of the Fair Labor Standards Act as defined by Regulations, 29 CFR Part 541 are considered Exempt employees
- Exempt staff is eligible for compensatory time

## Sample Policy #2

### Overtime

Employees may not earn overtime. Consequently, they may not work more than 40 hours/week, nor may they work more than six consecutive days in a standard work week. Hours worked beyond 7.5 in a single day are not considered overtime unless 40 hours are exceeded in the workweek (as defined by board policy). Exempt employees, as defined by federal and state wage and hour, are not eligible for overtime. In compliance with labor law, non-exempt library employees may not volunteer their time to the library. Under the Fair Labor Standards Act, the Librarian 2 [or Public Services Supervisor] and the Library Director positions are exempt.

## Sample Policy #3

### Overtime

There may be times when \_\_\_\_\_ cannot meet its operating requirements or other needs during regular working hours. If this happens, we may give employees the opportunity to work hours that exceed the normal working day. Full-time employees are scheduled for 37.5 hours a week. Full-time employees are not to go over the set amount of hours. Exceptions to this include: workshops, staff meetings, and conferences.

It is our policy that no overtime can be worked without the approval and authorization of the Library Director. We try to distribute overtime assignments fairly among all employees who are qualified to perform the required work.

If staff will be helping out with library programs and/or activities, the staff person should monitor their own time sheet to be aware of potential overages in hours. When this is apparent, staff

should notify director so that modifications can be made to the work schedule. It is preferred that the modification of hours occur within the same week as the extra hours.

Nonexempt employees will receive compensation in the form of time off. Overtime pay is based on the actual hours worked. For this reason, time off for sick leave, vacation, and other paid or unpaid leaves of absence is not counted as hours worked when calculating overtime pay.

If you work overtime without first getting the Library Director's approval, you may be subject to disciplinary action, up to and including possible termination of employment.

## **Sample Policy #4**

### **Overtime**

Overtime is any time worked over and above the regular 40-hour workweek. No employee should work more than 40 hours per workweek unless the time over 40 hours is specifically approved by the Director. In order to earn overtime payment, the Director must grant approval in advance. Employees will not be asked to work more than 40 hours per workweek unless there is an emergency situation. If paid overtime is approved, overtime will be paid at the rate of 1.5 times the employee's hourly rate for any hours worked over 40 hours per week. Overtime pay will not exceed 1.5 times the hourly rate even when the employee works premium hours for a portion of the workweek (such as nights, weekends, or holidays). Each workweek is considered separately in computing overtime and all other pay. Employees must work over 40 hours in one workweek to be paid for overtime and then only if approved in advance by the Director.

It is not considered overtime if an employee should work over 8 hours in one day until the employee has worked over 40 hours in that workweek. Employees should not expect overtime if they work over 8 hours in one day. If this should happen, the employee should work less hours at some other point within the same workweek so that the total hours worked do not exceed 40 hours for that week. The Director must approve this in advance.

Paid hours not actually worked (e.g., vacations, holidays, sick/personal days, etc.) will not be counted when determining if an employee exceeds 40 hours worked in a single workweek. For example, if a full-time employee worked 40 hours during the week of Thanksgiving in addition to the 8 hours paid for the Thanksgiving holiday, the total hours paid would be 48 at regular time rather than 40 regular time plus time-and-a-half for the 8 hour paid Thanksgiving holiday. Non-working time will not be counted as hours worked for overtime calculations. Non-working time might include holidays, sick/personal days, vacation leave, bereavement leave, etc. or any time when employees are paid for time not worked.

If more than 8 hours of work is necessary in a single day, an employee will be given equivalent time off in the same workweek. The equivalent time off will be arranged at the mutual convenience of the library and the employee. This arrangement requires approval of the Director. The employee must take the equivalent time off in the same workweek in which it was earned. If this is impossible or impractical, the employee will be paid overtime.

Part-time employees will also be subject to this policy when asked to work in excess of forty hours per workweek.

## **Sample Policy #5**

### **Overtime**

Full-time non-exempt (hourly) employees may occasionally be asked to work more than 40 hours in a given work week (Sunday through Saturday). The supervisor of the employee must give prior authorization for any overtime. Such overtime work, which is undertaken only when necessary, must be approved by the department or branch head. The employee will be compensated for overtime hours worked at the rate of one and one-half times the employee's base rate of pay. Working unapproved overtime may be cause for disciplinary action.

Please note that sick leave, vacation, personal, closed holiday, or leave without pay hours occurring in a 40+ hour work week, do not count as hours worked for the purposes of calculating overtime.

### **Seventh Consecutive Day Rule**

If an employee works seven consecutive days in the same work week (Sunday through Saturday) and this results in the employee working more than 40 hours, the employee will be paid overtime for all hours worked on the seventh day.

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