

Overtime Compensation

1402.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act.

1402.2 POLICY

The Montgomery County Sheriff's Office will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time. Employees who are salary exempt from FLSA are not compensated for overtime worked.

1402.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one hour for each hour of employment for which overtime compensation is required.

Short periods of overtime worked at the end of the normal duty day (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent shift adjustment within the same work period that the overtime was worked, rather than submit a request for overtime compensation.

Salary exempt employees may be eligible for administrative leave, which may be granted at the discretion of the Sheriff.

1402.4 REQUESTS FOR OVERTIME COMPENSATION

1402.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime and extra-duty time, in any consecutive 24-hour time period without supervisory approval.
- (c) Record the actual time worked in an overtime status using the office-approved form or method. Make note of the date and overtime reason therein.
- (d) Communicate a plan for compensatory time off with their supervisors. Employees will refrain from having more than 80 hours of compensatory time.

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1402.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors should:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
 1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of office resources.
- (b) Before approval of overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy as a violation of policy.
- (c) After verifying and approving the overtime amount, note the changes on the approved time sheet to be sent to administration.
 1. After the shift supervisor has authorized compensation, the time sheet shall be submitted to Administration as soon as practicable.

1402.5 ACCOUNTING FOR PORTIONS OF AN HOUR

Authorized overtime work shall be accounted in the increments as listed:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
Up to 30 minutes	.50 hour
over 45 minutes	1 hour

1402.6 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt office operations. Requests to use compensatory time will be submitted to the employee's supervisor at least 24 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court, attend training on office-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time.

