

I. POLICY

Salt Lake Community College complies with the requirements of the Fair Labor Standards Act (FLSA). The FLSA establishes a minimum wage, overtime pay, record keeping, and youth employment standards affecting employees in the private sector and federal, state, and local governments.

II. REFERENCES

Fair Labor Standards, 29 U.S.C. §§ 203-213.

III. DEFINITIONS

See [Human Resources Definitions](#).

IV. PROCEDURE

A. Overtime Work

1. Overtime work must have prior approval from the appropriate supervisor responsible for the department budget.
2. Employees who do not obtain approval before working overtime hours may be subject to corrective action.
3. A department may require non-exempt employees to work overtime; however, supervisors will keep overtime hours to a minimum.

B. Standard Work Week

1. Overtime is computed based on a standard work week. Non-exempt employees work a standard work week of 40 hours.
2. Because each work week stands alone, the number of hours worked over two or more weeks cannot be averaged.
3. For computing overtime, the work week begins at midnight, Saturday and ends at 11:59 p.m. the following Friday.
4. If employees work additional hours on one or more days of a standard work week, supervisors should, whenever possible and with the employee's

knowledge, reduce the hours of work within the same work week to stay within the standard forty hour work week.

C. Overtime Pay

1. The college compensates employees for overtime work regardless of supervisor approval. Non-exempt employees who work more than the standard work week receive compensatory leave time at the rate of time-and-one-half hours.
2. If the employee is unable to or elects not to take compensatory leave time, the college will remunerate the employee at the rate of time-and-one-half of the employee's regular rate of pay.

D. Compensatory Leave Time

When non-exempt employees work more than the standard work week, the college prefers to give compensatory leave time following these guidelines:

1. Employees should take compensatory leave time before termination. At termination, the employee's last paycheck will include any unused compensatory time.
2. An employee's compensatory leave time cannot exceed 60 hours (40 hours of overtime work multiplied by 1.5). Overtime worked above the 60 hours will require payment at the time and one-half rate.
3. Employees earn compensatory leave at the time-and-one-half rate of overtime worked.
4. As an employee earns compensatory leave time, the employee reports the time in the timesheet under the comp time earned code. The supervisor then approves this time.

E. Vacation and Sick Leave

Days absent from the job for vacation and sick leave are not to be counted as time worked for computing overtime pay.

F. Holidays

1. Days absent for paid holidays are counted as time worked in computing overtime pay. However, if a non-exempt employee is required by the college to work on a recognized holiday, the supervisor may schedule another day off during the week in which the holiday occurs.

2. If such an adjustment is not possible, the employee is entitled to receive regular compensation and an additional payment of holiday pay at time-and-one-half pay.

G. Non-Exempt Determination

The College pays time-and-one-half overtime pay to non-exempt employees only. Human Resources is responsible for determining the exempt or non-exempt status of all positions and advising the supervisors as necessary.

H. Multiple Positions

1. When non-exempt employees perform work in two different departments, the second department in which the employee worked overtime will pay the employee's overtime. It will be based on the time and one-half rate of the primary department unless the second assignment is at the option of the employee, and is not similar to the employee's paid position(s).
2. An additional job with scheduled working hours is considered covered under the overtime rule and paid at the overtime rate of time-and-one-half.

I. Volunteer Work

1. The college will not ask non-exempt employees to volunteer their time instead of paying overtime.
2. If non-exempt employees perform volunteer work similar to their regular job duties and the volunteer hours exceed the standard work week (regardless of the employing department), employees must be given compensatory leave time or paid at the time-and-one-half rate.
3. If the work is not similar work and is not required by the supervisor, it may be deemed volunteer work without pay as long as the employee performs the work at the employee's free will.

J. Recordkeeping

All departmental and college pay records must be accurate, complete, and retained for a minimum of three years.

K. Reporting

The college's Payroll office prepares quarterly reports showing overtime payments for the executive cabinet's review. The Payroll office will provide an annual report to the college president.

Date of last cabinet review: March 26, 2019

The originator of this policy & procedure is the Human Resources. Questions regarding this policy may be directed to the originator by calling 801-957-4210.