



# Operating Protocol & Procedure

## Details:

Number: 233

Title: Overtime

Category: Employees

Office of Primary Responsibility: Human Resources

Approval Date: 10/10/16

Effective Date: 10/10/16

Revised: 5/6/24

Reviewed: May 2024

## Purpose:

To provide guidelines for the use and management of overtime.

## Applicability:

Classified Staff and Administrative/Professional/Technical (APT) staff in positions determined to be overtime eligible (non-exempt).

## Definitions:

FLSA: Fair Labor Standards Act that establishes Federal requirements pertaining to overtime.

Overtime: Hours worked that are in excess of 40 hours in the standard workweek.

Standard Workweek: Saturday 12:01 a.m. through Friday at midnight.

Unauthorized Overtime: Overtime that not at the direction of the supervisor or that has not been approved in advance by the supervisor.

## References:

Fair Labor Standards Act, overtime provisions (<https://www.dol.gov/agencies/whd/overtime>)

Colorado State Personnel Board Rules and Decisions, Chapter 3 (<https://spb.colorado.gov/>)

PCC Operating Protocol and Procedure 232, Employee Work Hours, Schedules & Remote Work (<https://pueblocc.edu/cmsinternet/xml/OPP/200/232.pdf>)

PCC Operating Protocol and Procedure 247, Timesheets (<https://pueblocc.edu/cmsinternet/xml/OPP/200/247.pdf>)

### Attachments:

None

### Operating Protocol:

It is the policy of the college that employees be granted time off in lieu of overtime pay at a rate of 1.5 hours for every hour worked over 40 in a workweek.

Overtime hours will not be approved unless there is a significant business need that is documented and approved by the supervisor. Unauthorized overtime will not be tolerated and will be the basis for corrective or disciplinary action.

PCC will not authorize overtime eligible employees to teach, engage in any additional assignments at any CCCS college, or authorize outside employment at any other state agency when that employment results in overtime liability to the College. If the secondary state agency agrees to pay all overtime costs associated with employment at their agency by a PCC employee, PCC will authorize that employment once a formal agreement has been signed by the secondary agency. The College will not incur overtime liability or cost as a result of outside employment with another state employer or for teaching at PCC or any other Community College System college. The only exception within the College or the System will be for documented business needs for which no other option is available to meet the need. Likewise, requests to hire employees from other state agencies that are overtime eligible will not be approved if there is any overtime liability to the College.

Overtime will be based on the official timesheet and no other documentation will be acceptable for the determination of overtime earned by an employee.

Employees who are not overtime eligible are not eligible for flex scheduling and are expected to work a minimum of 40 hours per week, pro-rated for FTE, and will not be compensated for hours greater than 40 in a workweek.

### Procedure:

Overtime eligibility will be determined by the Human Resources (HR) Office and based on the official job description. Any time an updated job description is submitted for formal review, the HR Office will conduct an FLSA overtime eligibility audit and notify the supervisor and employee of the status.

Once a position is determined to be overtime eligible, the employee in that position will be required to submit a timesheet in accordance with Operating Protocol 246 (Timesheets).

Supervisors may flex the work schedule within the workweek for overtime eligible employees in accordance with Operating Protocol 232 in order to avoid overtime liability. This is at the sole discretion of the supervisor.

Supervisors may direct an employee to work overtime hours when there is a significant business need. The supervisor must document the directive to the employee and verify the hours worked. The timesheet is the official record of hours worked.

Employees requesting to work overtime hours must submit the request to the supervisor in writing in advance of the hours being worked. The request must include the date, hours requested, and reason for the request.

Only if the supervisor approves the request may the hours be worked and the overtime earned. If not approved and still worked, they will be considered unauthorized overtime hours.

In emergency situations where advance approval is not reasonable, the employee and/or supervisor must document the need for the additional hours and document them on the timesheet unless the schedule is flexed within the same workweek.

When overtime is earned, employees must take the hours as soon as possible but no later than 90 days from the date it was earned. The supervisor may direct the employee on when to take the hours.

Overtime is paid if the employee separates from employment prior to taking the time off.