

Ohio Consumers' Counsel (OCC)
Compensatory/Overtime Policy and Procedure
Revised January 28, 2010

Purpose

To provide guidance in implementing a compensatory/overtime policy which complies with the Fair Labor Standards Act, the Ohio Revised Code, the Ohio Administrative Code and all applicable bargaining unit agreements.

General

Compensatory time or overtime (for those eligible for overtime pay) may be earned by staff members working over 40 hours in one week only for work hours which are necessary to the operation of the office, and when approved by a department director, manager or supervisor ("managers") in advance of those hours being worked, except for good cause shown.

Compensatory time cannot be accrued in the same week sick leave or cost saving days is used.

When addressing compensatory time issues, managers at their discretion, may allow staff to flex their time during that particular pay period. Paper timesheets need to reflect actual hours worked for each day when flexing time. Administration staff will make the necessary changes in the OAKS system for those flexing their time.

Under no circumstances will compensatory time be allowed for exempt staff which will result in payment of over eighty hours in any pay period.

No compensatory time can accrue during a staff member's lunch period.

Any agency work completed at home or places other than the office will be done only in conjunction with OCC's Teleworking Policy.

While it is the policy of the OCC to provide compensatory time or overtime (for those eligible), the granting of such time is intended to compensate for hours actually worked. No unauthorized overtime will be tolerated. Falsification or dishonesty in the request for accrual of compensatory time may result in disciplinary action up to and including termination.

Compensatory Time Policy for Overtime-Exempt Staff Members

Overtime exempt staff members who are in active pay status in excess of 40 hours per week are eligible for compensatory time where such extra work hours are necessary to complete assigned tasks or other agency business. All compensatory time requests shall be carefully reviewed by the appropriate manager for approval or denial.

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Compensatory time is accrued at the rate of one hour of compensatory time for every one hour worked in excess of 40 hours per week. Time taken pursuant to vacation, personal time, or holiday will be included in the computation of 40 hours per week, but not sick leave or cost saving days (which are not considered active pay status). Whenever possible, each staff member shall request approval of compensatory time accrual, in advance, with a notation of the amount of time expected to be earned and the task(s) to be performed from his/her manager or the manager's designee. In the event a staff member is unable to give prior advance notice of the need to accrue compensatory time, the staff member should immediately advise the department director that extra hours have been worked and that accrual of compensatory time is sought. A Compensatory Time/Overtime Request form must be completed, and receive approval, for compensatory time accrual to be recorded. Compensatory time is to be accrued and used in 1/4 hour increments.

Compensatory time may be accrued for any work done in carrying out agency business regardless of the location where such work is performed. Compensatory time may be earned performing work in the OCC office, working while traveling to a business location, conducting business outside of the office, or doing work at home. Any work done away from the OCC office will be considered done in conjunction with OCC's Teleworking Policy. Use of compensatory time is subject to mutual agreement between the staff member and the department director. A Compensatory Time/Overtime Request form (paper) must be completed and receive approval, for compensatory accrual. In addition, a staff member must request pre-approval and record the accrual and use of compensatory time in the OAKS Self Service Time and Labor (OAKS SS TL) system.

Compensatory time can be accrued up to 120 hours. Future accruing of compensatory hours is not allowed until previous compensatory time is used resulting in the compensatory balance falling below 120 hours. All compensatory time hours may be carried for a maximum of 365 days from the time they are earned. Any compensatory time hours older than 365 days will be lost.

Cash payment for compensatory time accrued (including compensatory time not used within 365 days of the date earned, and compensatory time not used at separation) is not permitted.

Compensatory Time/Overtime Policy for Overtime-Eligible Staff Members

Overtime opportunities for duties normally performed by bargaining unit staff members shall be administered in accordance with Section 13.07 of the contract between the State of Ohio and the Ohio Civil Service Employees Association (OCSEA).

Overtime eligible staff members who have been approved by their manager to work over 40 hours in a given week and are in active pay status, have the option of being paid at the rate of 1 ½ times their rate of pay or receiving compensatory time at 1 ½ times the number of extra hours worked. Compensatory time may be accrued up to 240 hours. All compensatory time hours may be carried for a maximum of 365 days from the time they are earned. Whenever possible, the staff member should request approval for overtime or compensatory time, in advance, with a notation of the expected number of hours to be worked and the task(s) to be performed. A Compensatory Time/Overtime Request form (paper) must be completed and receive approval, for

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payment of overtime or compensatory accrual. In addition, a staff member must request pre-approval and record the accrual and use of compensatory time in the OAKS SS TL system.

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