

## 31.01.09.R0.01 Overtime

Approved October 20, 2003  
Revised January 12, 2015  
Next Scheduled Review: January 12, 2020



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### Procedure Statement

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Under the Fair Labor Standards Act (FLSA), a federal statute, a nonexempt employee must be compensated with either time or pay for working more than 40 hours in a workweek. Under Texas law, a nonexempt employee who has a combination of hours worked, paid leave, compensatory time, and paid holidays totaling more than 40 hours in a workweek must receive either time or pay for the additional hours.

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### Reason for Procedure

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This procedure defines those employees who are entitled to overtime, the limitations, and the approval of overtime, as required by System Regulation *31.01.09 Overtime*.

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### Procedures and Responsibilities

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#### 1 NONEXEMPT EMPLOYEES

- 1.1 When nonexempt, full-time employees are required to work hours in excess of the standard 40-hour workweek, they are entitled to compensation for such overtime. Overtime should be avoided, if possible, and worked only with the approval of the immediate supervisor.
  - 1.1.1 Employees will be compensated for overtime by granting the employee compensatory time off at the rate of one and one-half hours off for each hour of overtime worked. Supervisors must approve the time off in advance.
  - 1.1.2 When an employee's FLSA compensation time reaches 40 hours, Human Resources shall pay any hours over the limit on the following monthly payroll from that employee's departmental payroll account.
  - 1.1.3 Employees shall use FLSA compensation time before using vacation time.

1.1.4 Overtime not authorized must also be counted as work time. However, nonexempt employees who work without authorization are subject to disciplinary action, up to and including termination.

1.2 University police officers are the only exception to the above rule. Officers earn overtime and are compensated by paying at a rate of one and one-half times the officer's regular rate of pay. Police officers work extra-duty on a regular basis and are unable to take compensatory time off without jeopardizing the safety of the university campus.

## 2 EXEMPT EMPLOYEES

Exempt employees are not eligible for overtime payment or compensatory time off. Full-time exempt employees are expected to work a minimum of 40 hours per week in fulfilling the requirements of their positions.

## 3 LIMITATIONS

System Regulation 31.01.09 Overtime prohibits nonexempt employees from accruing more than 240 hours of compensatory time.

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## **Related Statutes, Policies, or Requirements**

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System Regulation [31.01.09 Overtime](#)

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## **Contact Office**

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Human Resources  
903-886-5881