

Montana State Library Commission Policy

Overtime/Compensatory Time Policy to Supplement State Policy ~~ies 3-0210 and 3-0214-2-0600~~

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This Montana State Library Commission policy is to supplement State Policy ~~ies 3-0210 and 3-0214-2-0600~~. It is the intent of this State Library policy to clarify agency procedures for documentation and use of exempt compensatory time and nonexempt overtime and compensatory time.

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Exempt employees, by federal definition, are in a position designated as executive, administrative or professional and not subject to the overtime pay provisions of the federal Fair Labor Standards Act (FLSA).

Work weeks are presumed to extend from Saturday through Friday to coincide with the "Timesheet" unless an exception has been approved for a particular employee by that employee's program manager and the State Librarian (or designee).

It is each employee's responsibility to monitor his/her work hours and to seek pre-approval from his/her supervisor to work more than 40 hours in a work week. An exempt employee who perceives the need to work more than 40 hours in a work week shall notify the State Librarian (or designee) or supervisor in advance whenever possible. After the additional hours are worked, the exempt employee shall submit the additional hours as "Exempt Compensatory Time Earned" on the Timesheet.

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If there is a perceived need for a nonexempt employee to work more than 40 hours in a work week, the employee and his/her program manager shall first explore the alternative of that employee adjusting the work schedule and taking time off during the work week in which he/she would otherwise exceed 40 hours. If that option is not feasible, the program manager may give approval for working hours in excess of 40. Because overtime compensation is not normally an option due to budgetary constraints, nonexempt (FLSA) compensatory time (at time and a half) shall be credited to the employee in lieu of overtime.

~~Neither exempt nor FLSA compensatory time shall be accumulated in excess of 120 hours. All employees should be encouraged to use accrued compensatory time as soon as possible after its accrual.~~

To record ~~the actual~~ nonexempt compensatory time on the Timesheet, indicate the actual hours worked over 40 as NonExempt Comp Earned. Payroll ~~personnel processes will perform the necessary calculations at~~ convert the hours to time and a half.

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~~Neither exempt nor FLSA compensatory time shall be accumulated in excess of 120 hours. All employees should be encouraged to use accrued compensatory time as soon as possible after its accrual. All compensatory time is earned and used in one-half hour increments.~~