

## OVERTIME PROCEDURES FOR NON-EXEMPT EMPLOYEES

### **Purpose:**

The Howard County Public School System (HCPSS) respects employee rights and is committed to providing uniform and equitable treatment with regard to working overtime hours. The procedures outlined below are designed to ensure each school and/or office within the HCPSS is compliant with applicable laws and regulations regarding overtime work.

### **Procedures:**

- Compensatory time (Comp time) cannot be given in lieu of overtime pay.
- Overtime is to be used only on occasions when the task cannot be performed during regular work hours, as determined by and at the discretion of authorized supervisors. Completion of the “Authorization for Non-Exempt Employee Overtime” form is **mandatory**.
- Non-exempt employees (as defined by the Fair Labor Standards Act) are eligible for overtime pay in accordance with HCPSS Policies and procedures.
- The authorized supervisor must approve all overtime in advance. Eligible employees approved for overtime hours in excess of forty (40) hours in a scheduled workweek shall be compensated at 1-1/2 times the regular rate of pay. Eligible employees who work on a holiday recognized by the Board of Education are compensated at 1-1/2 times the regular rate of pay for all hours worked on the holiday in addition to the regular holiday pay.
- The authorized supervisor must consider each employee’s skill set and/or the job assignment to be completed before selecting an employee for overtime. To the greatest extent possible, each authorized supervisor will provide equitable opportunities for all similarly skilled employees to work any available overtime while ensuring that no one employee is assigned a disproportionate amount of overtime.
- Overtime shall be voluntary except in situations determined as emergency by the authorized supervisor. In case there is an emergency, the supervisor can assign overtime to the staff available. (*Emergency work is defined as work that is critical and cannot wait for completion during the next regularly scheduled shift.*)
- Except under extenuating circumstances such as emergencies or mission-critical work, an employee’s total overtime pay may not exceed 25% of their base annual salary. Such circumstances must be approved by a Chief or Deputy Superintendent.
- It is the duty of management to exercise control to ensure that work is not performed beyond scheduled hours without prior approval. If the employee works without authorization or prior permission, he or she must be compensated in accordance with the law. In such situations, it is the supervisor’s responsibility to counsel the employee and initiate progressive disciplinary action per Policy 7030, Employee Conduct and Discipline.
- An employee’s failure to report to work for overtime without timely notification to his or her supervisor may be cause for disciplinary action per Policy 7030, Employee Conduct and Discipline.