


Name of Policy: <u>Compensatory time accrual and use</u>		 <p>Review Date: October 7, 2019</p> <p>Original effective date: August 19, 2011</p>	
Policy Number: 3364-25-56			
Approving Officer: President			
Responsible Agent: Associate Vice President and Chief Human Resources Officer			
Scope: The University of Toledo – All Campuses			
	New policy proposal		Minor/technical revision of existing policy
	Major revision of existing policy	X	Reaffirmation of existing policy

(A) Policy statement

Hourly non-bargaining unit employees may accrue and elect to use compensatory time in selected pay situations as defined herein and according to the Revised Code. The university will uniformly administer this policy for eligible employees.

(B) Purpose of policy

To provide procedures for the accrual and use of compensatory time in compliance with section 124.18 of the Ohio Revised Code.

(C) Scope

This policy applies to hourly non-bargaining unit employees on all campuses.

(D) Procedure

(1) Election and accrual

- (a) If the employee elects to take compensatory time off in lieu of overtime pay for any overtime worked, such compensatory time shall be granted by the employee's administrative superior, on a time and one-half basis, at a time mutually convenient to the employee and the supervisor.

(b) Compensatory time is not available for use until it appears on the employee's earning statement and the compensation described in the earning statement is available to the employee.

(c) An employee may accrue compensatory time to a maximum of two hundred forty (240) hours. An employee shall be paid at the employee's regular rate of pay for any hours of compensatory time accrued in excess of these maximum amounts if the employee has not used the compensatory time within three hundred sixty-five (365) days after it is granted, ceases to be employed by the university or if a change in the employee's status exempts the employee from the payment of overtime compensation.

(d) Upon the termination of employment, any employee with accrued but unused compensatory time shall be paid for that time at a rate that is the greater of the employee's final regular rate of pay or the employee's average regular rate of pay during the employee's last three (3) years of employment with the state.

(2) Overtime

No overtime, as described in this policy-can be paid unless it has been authorized by the authorized administrative authority. Employees may be exempted from the payment of compensation as required by this section only under the criteria for exemption from the payment of overtime compensation established in the "Federal Fair Labor Standards Act of 1938," 52 Stat. 1060, 29 U.S.C.A. 207, 213, as amended.

(3) Holidays

When an employee who is eligible for overtime pay under this policy is required by the employee's responsible administrative authority to work on the day observed as a holiday, the employee shall be entitled to pay for such time worked at one and one-half (1 ½) times the employee's regular rate of pay in addition to the employee's regular pay, or to be granted compensatory time off at time and one-half thereafter, at the employee's option. Payment at such rate shall be excluded in the calculation of hours in active pay status.

(4) Notification and approval

(a) Employees may use accrued compensatory time at a time that is mutually agreeable to both the employee and the employee's immediate supervisor. Accordingly, the use of compensatory time requires advance approval by an individual's supervisor. A supervisor has the responsibility and authority to approve or disapprove an employee's request to use accrued compensatory time based on his/her judgment of departmental necessity.

(b) A supervisor may approve an employee's request to use accrued compensatory time when:

- (i) An employee's request is made reasonably in advance, allowing the affected supervisor to plan and schedule as necessary;
- (ii) Accrued sick leave is exhausted and an employee would like to use compensatory time; or
- (iii) An employee, due to various circumstances does not work the budgeted hours and requests to use compensatory time to total budgeted hours for that pay period.

Normally, it is advantageous to allow an employee to utilize accrued time. However, supervisors are not required to approve an employee's request.

(c) Prior to an unpaid leave of absence, or any period of time that an employee does not work and is not compensated for the total budgeted hours in a pay period, department management has the authority to use available compensatory time and vacation to total the individual's budgeted hours until such accrued time is exhausted. Vacation hours should not be used to total budgeted hours for a pay period until all outstanding compensatory time has been used. Department managers may make exceptions as follows:

- (i) An employee requests and the supervisor approves a leave without pay for four (4) hours or less.
- (ii) An employee is asked and mutually agrees to take time off due to decreased census or lack of need.

- (iii) An employee is habitually late resulting in a docking of the individual's pay.

Compensatory time may not be used during any scheduled work period that results in earning overtime, holiday pay or additional compensatory time.

<p>Approved by:</p> <p><u>/s/</u> Sharon L. Gaber, Ph.D. President</p> <p><u>October 7, 2019</u> Date</p> <p><i>Review/Revision Completed by: Associate VP and Chief HR Officer, SLT</i></p>	<p>Policies Superseded by This Policy: <i>Previous 3364-25-56 effective date April 20, 2015</i></p> <p>Initial effective date: August 19, 2011</p> <p>Review/Revision Date: July 1, 2014; April 10, 2015, October 13, 2016, March 11, 2019 (review), October 7, 2019</p> <p>Next review date: October 7, 2022</p>
--	--