

General Policy - Overtime Compensation for Nonexempt Employees

Policy:

Bismarck State College shall compensate nonexempt employees for overtime (OT) hours worked in excess of 40 hours per week, as provided for in State policy.

Provisions:

1. The work week shall be from 12:01 a.m. Sunday through 12:00 midnight Saturday unless otherwise established for individual positions or job classifications. Employees shall have a basic work week of 40 hours.
2. Overtime hours may be approved on the basis of emergency circumstances or when it is impractical to maintain an additional temporary work force adequate to handle peak loads during regular hours. Overtime hours must be authorized by the appropriate administrative officer/supervisor prior to working the OT hours.
3. Overtime work shall be assigned on an equitable basis.
4. An employee called back for emergency service after completing the regular day's work shall receive compensation at the rate of time-and-one-half. Guaranteed minimum pay for call-back will be two hours at time-and-one-half.
5. Overtime Options for Compensation - Nonexempt employees at Bismarck State College may elect to take overtime compensation in one of the following ways:
 - a. Compensatory Time - Compensatory time may be accumulated and used for additional vacation days or time off. Compensatory time is accumulated at one and one-half hours of time for each hour overtime.
 - Compensatory time accrual is limited to 40 hours. Upon reaching the limit, an employee must receive compensation for additional hours of overtime worked.
 - Unused compensatory time off will be paid upon termination. The rate of pay will be the employee's final regular rate.
 - b. Overtime Pay - Time actually worked in excess of 40 hours per week shall be considered overtime and must be compensated at the rate of time-and-one-half, except for approved time-off plans for overtime compensation or employees who are exempt under wage and hour laws. The employee may elect to receive overtime pay in lieu of compensatory time. Because of budget limitations for overtime pay, this option must be approved by the supervisor.
 - Employees must elect overtime pay when the work performed is for a

department other than the employee's regular department.

6. Official closings and holidays shall be counted as hours worked during a week. In establishing a forty-hour work week, official closings and holidays shall be counted as hours worked. Annual leave, sick leave, other forms of paid leave, and compensatory time shall not be counted for overtime purposes.
7. Overtime hours worked - The employee will report approved overtime hours worked in the Time and Labor module of PeopleSoft for their supervisors to submit to payroll. Instructions for reporting these hours for hourly employees are in the Time and Labor Manual and instructions for salaried employees are in the Absence Management Manual, located on the HR CORE Portal site.

Reference:

SBHE Staff Personnel Policy Manual Policy 11 and 12.

History of This Policy:

First policy draft January 16, 1986.

Revisions - August 6, 1987; July 26, 1990; October 21, 1991; August 12, 1997; June 8, 2004, June 1, 2005; November 15, 2016.