



<p align="center"><b>Policy Title</b> Support Employee Compensatory Time Provisions Policy</p>	<p align="center"><b>Original Adoption Date</b> 7/1/1973</p>	<p align="center"><b>Policy Number</b> HR-207</p>
<p align="center"><b>Responsible College Division/Department</b> Human Resources</p>	<p align="center"><b>Responsible College Manager Title</b> Vice President of Administration</p>	
<p align="center"><b>Policy Statement</b></p> <p><u>PURPOSE:</u> It is the policy of Lakeshore Technical College (LTC) to abide by all applicable sections of the Fair Labor Standards Act (FLSA) along with any amendments. In administering the provisions of the FLSA, LTC will properly record and maintain records of all compensatory time accrued for each covered employee.</p> <p><u>COMPENSATORY TIME:</u> From time to time, employees will be asked to work hours in excess of the <b>normal workweek</b> schedule of 38 3/4 hours or 40 hours. Employees have the option of selecting "compensatory time" off in lieu of additional pay. Excess work hours between 38 3/4 and 40 hours per week will accrue and be calculated at the rate of hour for hour of employment. Excess <b>work hours</b> over 40 hours per week will be calculated at the rate of 1 1/2 hours for each hour of employment. Leave activity such as holiday, vacation, Paid Leave of Absence (PLOA) leave, personal leave, compensatory time off, jury duty, without-pay requests and nonscheduled time off will <b>not</b> be credited as <b>time worked</b> toward the normal workweek of 38 3/4 hours or 40 hours.</p> <p><u>ADDITIONAL HOURS WORKED:</u> Work done for the college in a different capacity (excluding occasional or sporadic employment) from the employee's regular employment shall be <b>combined</b> for the purpose of determining compensatory time earned.</p> <p><u>RECORDKEEPING:</u> The College shall <u>maintain and preserve</u> records containing the basic information and data required under this act and, in addition, record the following:</p> <ol style="list-style-type: none"> <li>1. Number of hours of compensatory time earned each workweek.</li> <li>2. Number of hours of compensatory time used each workweek.</li> <li>3. Number of hours of compensatory time compensated in cash.</li> <li>4. Any written understanding or agreement with respect to earnings in using compensatory time off.</li> </ol> <p><u>OTHER FLSA COMPENSATORY TIME REQUIREMENTS:</u></p> <ol style="list-style-type: none"> <li>1. An <u>agreement or understanding</u> must be arrived at between LTC and the employee prior to the performance of work and may take the form of an expressed condition of employment provided. <ol style="list-style-type: none"> <li>a. The employee knowingly and voluntarily agrees to it as a condition of employment;</li> <li>b. The employee is informed that the compensatory time off received may be preserved, used, or cashed out consistent with the policy and the act.</li> </ol> </li> <li>2. LTC has established that the compensatory time earned balance may not exceed 40 hours.</li> <li>3. A <u>terminating employee</u> who has accrued approved compensatory time off shall, upon termination of employment, be paid for the unused compensatory time off at the current hourly rate.</li> </ol>		



4. A "reasonable period" to clear out compensatory time worked of up to three months has been established by LTC. A request for compensatory time off shall be honored unless to do so would be unduly disruptive to the college's operations.

**Reason for Policy**

To ensure LTC complies with all state and federal laws and to provide employees with flexibility in managing additional hours worked situations.

**Cross References and Legal Review**

**Created/Adopted:** 7/1/73

**Reviewed/Revised:** 7/76; 3/19/81; 11/20/86; 11/16/89; 5/19/93; 6/17/96; 11/96; 7/1/04; 7/1/06; 1/22/13; 10/28/19

**Legal Reference:** Fair Labor Standards Act, 29CFR, Part 553, Subpart A, Sections 553.1-553.51

**Cross Reference:** Support Employee Overtime Pay Provisions; Support Employee Work Schedules

**Legal Counsel Review and Approval:**

**Board Policy:** III.A. General Executive Constraint, III.B. People Treatment, III.C. Compensation and Benefits

**Definitions**