

#### 4.097 Overtime (Reaffirmed 11/28/23)

- A. The College defines Exempt and Non-Exempt employees following the provisions of the Fair Labor Standards Act (FLSA) and the Illinois Minimum Wage Law.
- B. All overtime compensation will be paid to non-exempt employees in accordance with requirements of the Fair Labor Standards Act and the Illinois Minimum Wage Law. Overtime work is not permitted on a voluntary basis, but must be authorized by the supervisor and the appropriate Vice President or President and must be a critical need. Classified employees may be required by their supervisors to work overtime. It is a requirement that non-exempt employees appropriately report the number of hours that they work and are permitted to work off-site only with specific authority from a supervisor. Employees who work additional hours without the approval of their supervisor may be subject to discipline.
- C. Non-exempt employees may take compensatory time off for overtime worked equal to one and one-half hours for each hour of overtime worked. Use of sick leave, bereavement, and compensatory hours taken in the same work week do not count in the calculation of overtime (hours or pay) unless otherwise specified in a bargaining agreement. Compensatory time may be taken at some other time with the approval of the supervisor. It is the employee's choice whether to use overtime hours as compensatory time or for pay unless an agreement is reached by the employee and the supervisor before the hours are worked. Pre-approval of overtime is still required whether the employee elects to take the overtime as compensatory time or for pay.
- D. Accrued compensatory time earned through May of a given fiscal year will be paid to non-exempt employees in June of each fiscal year. A maximum of 40 hours of compensatory time earned through May of a given year may be carried over to the next fiscal year, including any additional comp hours earned in June of that year. Non-exempt employees under a different fiscal year will be paid similarly according to their particular fiscal year. Any employee who resigns, retires or is terminated shall be granted full pay for earned, unused compensatory time.
- E. Exempt employees do not qualify for overtime pay or comp time under FLSA.