

Overtime Compensation

1020.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

1020.2 POLICY

The University of Maryland, Baltimore Police Department will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

1020.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

1020.4 REQUESTS FOR OVERTIME COMPENSATION

1020.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime and extra-duty time, in any consecutive 24-hour time period.
- (c) Record the actual time worked in an overtime status using the department-approved form or method. Informal notations on reports, logs or other forms not approved for overtime recording are not acceptable.
- (d) Submit the request for overtime compensation to their supervisors by the end of shift or no later than the next calendar day.

1020.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.

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1. Supervisors shall not authorize any request to work overtime if the overtime would not be an appropriate use of department resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy 1010.
- (c) After verifying and approving the overtime amount, supervisors shall promptly forward the request for compensation through the chain of command to the employee's Shift Commander or respective Lieutenant for final approval.
 1. After the Shift Commander or respective Lieutenant has authorized compensation, the request shall be submitted to Support Services as soon as practicable but prior to 0900 hours the following business day in which the overtime occurred..

Supervisors will not authorize or approve their own overtime.

1020.5 ACCOUNTING FOR PORTIONS OF AN HOUR

Authorized overtime work shall be accounted in the increments as listed:

| <u>TIME WORKED</u> | <u>INDICATE ON CARD</u> | |
|--------------------|-------------------------|--|
| Up to 15 minutes | .25 hour | |
| 16 to 30 minutes | .50 hour | |
| 31 to 45 minutes | .75 hour | |
| 46 to 60 minutes | 1 hour | |

1020.5.1 VARIATION IN TIME REPORTED

When two or more employees are assigned to the same activity, case or court trial, and the amount of time for which overtime compensation is requested varies among the officers, the Shift Commander or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

1020.6 COMPENSATORY TIME

Compensatory time is not granted to non-sworn members or sworn members who are not bargaining unit members. Any member working in excess of 40 hours will be compensated with overtime payment.

Compensatory time may be granted to sworn bargaining unit members and based on the current MOU (see Appendix 4.7.2). Earned compensatory time may be used within 48 hours notice to a supervisor. Supervisors may make exceptions in unusual or extraordinary circumstances. The

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accumulation of compensatory time may not exceed 240 hours (30 days), may not be transferred to another department, and must be paid upon separation of employment.

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt department operations.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court on department-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).