Series 4000: District Employment

4300 Non-Exempt Staff

4303 Compensatory Time

A. The District may offer Non-Exempt Staff compensatory time, in lieu of overtime pay, at a rate of 1.5 hours of compensatory time for 1 hour of time for which the employee earns overtime pay. The District may determine that some employee classifications are ineligible for compensatory time.

B. For represented, Non-Exempt Staff compensatory time must be provided under a collective bargaining agreement, memorandum of understanding, or other agreement between the District and the exclusive collective bargaining representative.

C. For non-represented, Non-Exempt Staff, the staff member must submit an express, voluntary written request to receive compensatory time in lieu of overtime pay before the performance of overtime work. This request is subject to prior approval by the District. The Non-Exempt Staff member's written request must be kept in the payroll file for each instance of compensatory time.

D. Compensatory time is only available to those Non-Exempt Staff members who receive 10 or more paid days of leave per year, in addition to the compensatory time. If requested by the employee and approved by the District, the terms of the compensatory time plan are subject to the following:

   1. acceptance of compensatory time in lieu of overtime pay is not required as a condition of employment;

   2. employees are permitted to use compensatory time unless it will unduly disrupt District operations;

   3. employees may not accrue more than 240 hours of compensatory time at any time;

   4. employees may, at any time, request monetary compensation for accrued compensatory time at a rate not less than the regular rate earned by the employee at the time the employee earned the compensatory time. Payment must be made within 30 days after the request; and

   5. upon voluntary or involuntary termination of employment, an employee who has accrued compensatory time must be paid monetary compensation for accrued compensatory time at a rate not less than the regular rate earned by the employee at the time the employee earned the compensatory time.

E. Unless otherwise prohibited by a collective bargaining agreement, the District may terminate a compensatory time plan after providing 60 days' notice to Non-Exempt staff. Employees will receive monetary compensation for accrued

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compensatory time at a rate not less than the regular rate earned by the Non-Exempt Staff at the time the staff member earned the compensatory time.

F. The District must provide Non-Exempt Staff who earn compensatory time a statement reflecting the accrual and use of compensatory time in the period that it is earned or used. The payroll records for Non-Exempt Staff who earn compensatory time must identify the accrual of compensatory time.

G. The District will not directly or indirectly interfere with a Non-Exempt Staff member's right to request or not request compensatory time in lieu of overtime pay or require a member to use compensatory time. In assigning overtime hours, the District will not discriminate among Non-Exempt Staff within a classification based on the choice to request or not request compensatory time off in lieu of overtime pay.

Legal authority: 29 USC 207; MCL 408.414a, 408.934a

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