

OVERTIME PAY

POLICY NUMBER: RESERVED FOR FUTURE USE

POLICY TYPE: ADMINISTRATIVE

RESPONSIBLE OFFICIAL TITLE: SR. DIRECTOR, HUMAN RESOURCES

RESPONSIBLE OFFICE: HUMAN RESOURCES

EFFECTIVE DATE: 2/9/2017

NEXT REVIEW DATE: 2/9/2019

SUPERSEDES POLICY DATED: N/A

REQUIRES LEGAL/COMPLIANCE REVIEW:

(PER SECTION V. OF THE APPROVED POLICY REQUEST FORM) YES NO

REQUIRES I.T. POLICY COUNCIL REVIEW:

(PER SECTION V. OF THE APPROVED POLICY REQUEST FORM) YES NO

REQUIRES PROFESSIONAL CONCERNS COMMITTEE REVIEW:

(PER SECTION V. OF THE APPROVED POLICY REQUEST FORM) YES NO

REQUIRES HUMAN RESOURCES REVIEW:

(PER SECTION V. OF THE APPROVED POLICY REQUEST FORM) YES NO

REQUIRES BOARD OF REGENTS APPROVAL:

(PER SECTION V. OF THE APPROVED POLICY REQUEST FORM) YES NO

I. POLICY STATEMENT

The purpose of this policy is to establish guidelines to comply with Federal and State laws regarding overtime. Northern Kentucky University's (NKU) policy is to fully comply with all the regulations and compensate employees for all hours worked. The policy will define overtime and the circumstances in which overtime will be utilized and the process for obtaining overtime.

II. ENTITIES AFFECTED

This policy applies to all non-exempt staff (regular, contract and temporary).

III. AUTHORITY

Fair Labor Standards Act of 1938, as amended

IV. DEFINITIONS

Overtime - Any hours physically worked over a 40-hour period in the defined work week.

Overtime rate of pay – One and one half times employees hourly rate of pay. (Sunday – Saturday)

Work week – NKU's work week begins Sunday at 12:00 am and ends the following Saturday at 11:59 pm.

Non-exempt positions – Positions other than executive and professional are non-exempt, and therefore subject to all provisions of the Federal and Kentucky laws. All non-exempt employees receive overtime for hours worked in excess of 40 in the work week.

Exempt positions – Generally, exempt employees at NKU are Executive, professional and certain administrative employees. These positions are exempt from both Federal and Kentucky overtime laws and therefore not eligible for overtime pay for time worked in excess of the normally scheduled hours.

V. RESPONSIBILITIES

Employee – Must ensure all time is accurately recorded and coded within the time management system.

Supervisor – Must ensure that all time is accurately recorded and coded within the time management system.

VI. PROCEDURES

Determining exempt positions – When a new position is created, Human Resources reviews the Job Analysis Questionnaire (JAQ) and the nature of the position in order to determine whether it is exempt or not. Exception is determined on the basis of salary, job duties, responsibilities and requirements of the position.

Authorization to work extra hours – As a general policy it is expected that the university's various workloads should be accomplished within the regular workweek. Emergencies or unforeseen circumstances, however, may create a necessity for employees to work extra hours. Control over any extra hours worked rests with the department head. However, in emergency situations authority for an employee to work extra hours may be granted by the employee's immediate supervisor. It is NKU's policy that all overtime must be approved in advance by the immediate supervisor or the department head. Employees who violate this policy may be subject to corrective action up to and including termination of employment.

Work hours for overtime calculation – In order to comply with the Federal and Kentucky state laws, all hours "actually worked" in excess of 40 hours in a work week must be paid at the rate of one and one-half times the regular rate of pay.

Overtime work is defined as those hours actually worked beyond 40 hours during the NKU defined workweek. If a non-exempt employee is required or allowed to work overtime in a work week, the employee will be compensated at the overtime rate of pay.

Time not worked, whether or not it is paid time off, does not by law count toward the 40-hour threshold to calculate overtime pay. Therefore, paid holidays or other paid time off including vacation, personal and sick leave hours do not count towards the calculation of the overtime hours, because these hours are not actually "worked" and the employee is not physically engaged in or at work.

For the purpose of computing overtime, each workweek stands alone. Hours worked during two or more work weeks cannot be combined when computing overtime.

VII. REFERENCES AND RELATED MATERIALS

REVISION TYPE	MONTH/YEAR APPROVED
Revision	02/2017
Choose an item.	
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