I. Purpose and Scope

As a general policy, it is expected that employee workloads should be accomplished within the regular work schedule. However, due to peak workloads, unforeseen circumstances, or emergency situations, it is recognized that overtime work may be necessary. The supervisor/department head is authorized to approve overtime work for his/her employees. Overtime shall only be permitted when approved in advance by the supervisor/department head.

II. Policy

The supervisor/department head is authorized to approve overtime work for his/her employees. Overtime shall only be permitted when approved in advance by the supervisor/department head.

A. Requirement to Pay Overtime Compensation

“Hours worked” include all time an employee is required or permitted to perform activities beneficial to the University and on the University’s premises or at a prescribed work location except for meals or other periods when the employee is free from duty. Work breaks or rest periods of short duration, such as five (5) to fifteen (15) minutes, are considered to be hours worked. Meal periods of thirty (30) minutes or more are considered non-work time. Travel time to and from work is not considered for pay purposes.
Compensatory time off in lieu of overtime pay is prohibited by Kentucky Wage and Hour Laws. Therefore, the employee must be paid for all overtime.

III. Procedure

1. Employees are to be paid at their regular rate for all hours actually worked up to 40 hours during a work week. Overtime work is defined as those hours actually worked beyond 40 hours during a workweek. A workweek begins at 12:01 a.m. on Monday and ends at 12:00 midnight on the following Sunday. If a non-exempt employee is required or allowed to work overtime, the employee shall be paid at one and one-half times his/her regular rate of pay. For purposes of computing overtime, each workweek stands alone. Hours worked during two or more workweeks may not be combined or averaged to determine overtime pay due.

2. For purposes of determining overtime, vacation leave and any other time when the employee is not physically engaged in work are not considered. However, sick leave and official University holidays are considered and included for calculating any overtime due.

3. In determining the appropriate overtime rate, stipends and other “extra” compensation are to be included in addition to the employee’s base pay rate.

4. Overtime provisions also apply when an employee works in more than one department. If an employee normally works 37.5 hours per week in one department and also works part-time, nights, or weekends, etc., in another department, any hours worked between 37.5 and 40 are paid at the regular rate while hours over 40 are paid at the overtime rate.

5. If an employee holds two (2) or more positions at different rates of pay, any overtime compensation due shall be computed at the higher rate of pay. In certain unusual cases, employees who perform work in their primary department or another department may not be subject to overtime if the work performed is occasional or sporadic and falls in a different occupational category. These situations are very uncommon and the decision to NOT pay overtime must be approved in advance by the Department of Human Resources.

IV. Exclusions

A. Pay for Hours Worked on a Holiday

1. When departmental commitments make it necessary for employees to work all or part of a recognized University holiday period, employees shall be paid for hours actually worked at a rate of one and one-half times the regular rate of pay. This is in addition to their regular holiday pay.

2. In lieu of pay, an employee who is required or permitted to work during an official holiday period may be granted time off at a future time at the rate of one and one-half hours for each hour worked.

3. Exceptions to this policy may be made in those departments where regularly scheduled hours of operation include holidays. All exceptions must be approved in advance by the Department of Human Resources.
V. Related Policies

See also:

VI. Reason for Revision

Not Applicable

Appendices: Fair Labor Standards Act; KY Wage and Hour Laws; University Policy