



# University of Pittsburgh at Titusville

## UPT POLICY ON OVERTIME

(December 9, 2004)

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### References

- a) *University of Pittsburgh Policy 07-04-01*: "Time Records/Attendance/Overtime and Compensatory Time"
- b) *University of Pittsburgh Staff Handbook*: Section 4: "Wage and Salary Administration"

### General Rules

1. Employees who are designated *non-exempt* from provisions of the Fair Labor Standards Act (FLSA) must be paid **time-and-a-half** for each hour worked **beyond forty** in a single work week (Sunday through Saturday). Workers cannot be given time off in lieu of payment even if they are agreeable to this; **they must be paid** in the next earliest possible paycheck.
2. Employees who are designated *exempt* from provisions of the FLSA do **not** earn overtime pay for work beyond forty hours in a single week. They may, at the discretion of and with the approval of their department head, be given time off for such work, but this is not a necessity.
3. Non-exempt employees who work between 37½ and 40 hours in a single work week are either given compensatory straight time off (i.e., one hour off for each hour worked) or paid straight time for these hours. Either the time off or the payment must be occur within the **next pay period** (the month following). It is the **University's choice** whether to pay or give time off. UPT's policy is to give time off in all but the most exceptional cases.
4. Sick time, bereavement time, jury duty, or compensatory time taken in a week do **not** count toward the forty hour limit. For example, an employee who calls in sick on Monday and Tuesday, then works full days Wednesday through Saturday, has only worked four days (30 hours) for FLSA purposes.
5. Vacation, personal days, or paid holidays **do** count as time worked toward the forty hour limit.

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6. *Any overtime or comp. time must be authorized by the department head **in advance**. Employees may **not** work overtime on their own initiative, and then get authorization “after the fact.”*
7. For the general University policies on compensatory time and overtime, see references a) and b) above. Both are available on-line at the Pitt Human Resources web page.

### **UPT Policy on Overtime**

1. In general, UPT’s budget cannot accommodate overtime; therefore, it is incumbent upon department heads to ensure that non-exempt employees do not work more than forty hours in a single work week. When it is foreseen that an employee will be working beyond normal working hours, department heads should schedule the employee for time off either before or after in the same work week so that the 40 hour limit will not be exceeded.
2. Example 1: An employee works until 8:00 PM on Monday, Tuesday, and Wednesday, a total of nine hours beyond the norm. With no change in work schedule, this would yield a work week of 46½ hours — 6½ overtime hours. To avoid the overtime, the employee should be scheduled for only 8½ hours total on Thursday and Friday (the normal 15 hours less 6½). Note that in this scheme, the employee is still entitled to 2½ hours of compensatory time, though not any overtime.
3. Example 2: An employee must work all day (7½ hours) on Saturday. The 40 hour limit cannot be shortened by giving time off in the following week; time off must be scheduled in the same work week (i.e., prior to Saturday). The department head should anticipate the Saturday work day by scheduling a day off on Monday through Friday to keep the employee’s work time under 40 hours.
4. Exception: by direction of the president, overtime is authorized for the fall and spring term orientation periods, when designated individuals will work all day Saturday and Sunday afternoon.
5. In exceptional situations, and with the approval of the campus president, a department may grant overtime by paying for it out of the department’s non-salary budget allocation.

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6. Department heads are responsible for controlling overtime in their areas and for ensuring that accurate records are kept.
7. For employees without a set schedule of working hours, it is incumbent upon the department head, in conjunction with the employees' supervisor, to indicate precisely the number of hours such employees are required to work in a given week, and to make it clear that these employees may not work beyond these hours without **prior approval** of the **department head**.
8. Due to the special circumstances involved, separate overtime budgets of long-standing have been established for maintenance personnel and campus police. Overtime procedures for unionized maintenance personnel are governed by their labor agreement.

## **Records and Payment Procedures**

1. Non-exempt employees must maintain detailed and accurate records of time worked, as per the University's policies and procedures referenced above. Hours worked must be recorded each day on the employee's "Staff Time Record" — Pitt Form 0099 (598). Each week, both the employee and the employee's supervisor must initial the form certifying that the data is correct. Information on time worked recorded in any other place will not be considered "official" for pay purposes.
2. As back-up for the Staff Time Record, non-exempt employees should keep a detailed log of time worked indicating any compensatory or overtime worked, the circumstances occasioning such work, and the date such time was authorized by their department head. This log, though not "official," will substantiate the hours worked entered onto the Staff Time Record.
3. Requests for overtime pay must be made by the department head to the UPT Office of Human Resources on a UPT "Monthly Payment Sheet." Both the supervisor and the department head of the employee to be paid must sign this form. By so signing, the department head affirms that he or she gave prior authorization for the overtime to be worked, and the supervisor affirms that he or she has knowledge that the employee actually worked the hours.
4. All records are subject to audit.