

106 – OVERTIME

A. Exempt Employee

1. An exempt employee working over 40 hours in a work week is not eligible for overtime pay.
2. In exceptional circumstances, a supervisor, with the approval of the appointing authority, has the discretion to allow an exempt employee compensatory time when the exempt employee works beyond the regular work week.

B. Non-Exempt Employee

1. A non-exempt employee working over 40 hours in a work week is eligible for compensatory time equal to one and a half times the employee's base hourly salary for the excess hours worked.
2. An employee will work overtime or compensatory time only when it is in the best interest of the Court System and only with prior approval within guidelines issued by the supervisor.
3. Compensatory time must be given in lieu of overtime compensation and must be at a rate of one and one-half hours for each hour of employment for which overtime pay would normally be required.
4. Hours worked in a work week do not include leave or holiday hours within the work week.
5. An employee may not accrue more than 40 hours of compensatory time at any given time.
6. Earned compensatory time must be used prior to using annual leave and approved by the supervisor. A request may be denied if the employee's absence would unduly disrupt the operation or services of the office.
7. When an employee terminates employment, unused compensatory time must be paid at the employee's final regular rate or the average regular rate received by the employee during the last three years of employment, whichever is higher.

Approved by the Supreme Court 4/1/12; amended 10/2/19 effective 10/1/19