



**North Carolina
Department of Environment
and Natural Resources**

P R O C E D U R E S

Section: Human Resources

Number:

**Subject: Hours of Work, Compensatory Time, and Overtime Pay
For Subject Employees**

Approved By: DENR Secretary

Eff. Date: Jan 3, 1994

Revised: Aug 4, 1997

Page 1 of 4

Record Keeping

Subject employees shall maintain an accurate and complete record of all hours worked, compensatory time earned, and all leave taken.

Calculation of Work Week

Vacation Leave, Sick Leave, and Compensatory time taken are approved as tentative amounts until the work week is completed. At that time, the vacation, sick, and compensatory time taken will be adjusted to fill out the 40 hour work week. Supervisors may require employees to take compensatory time off and may require compensatory time be taken in lieu of Vacation or Sick Leave.

During a week in which a holiday occurs, the hours worked between the shortened work week total and 40 hours will be compensated for as hour for hour compensatory time off.

The unit of accountability is the 40 hour work week, not the 8 hour day. Supervisors may vary the length of the workday as workload demands.

Authorization of Additional Work

Compensatory time, overtime, and holiday compensation may be earned by employees only when it is

authorized by the employee's supervisor and when such additional work is required for peak, seasonal or emergency workloads.

It is the responsibility of the appropriate supervisor to assist an employee in planning work schedules such that the accumulation of compensatory time is minimized.

The supervisor may adjust an employee's work schedule as necessary within a given work week to avoid the accumulation of compensatory time.

Standard Work Week

The standard work week for this Department begins at 12:01a.m., Saturday and ends at midnight on Friday.

Compensation of Time Earned

Subject employees will be compensated with compensatory time off for hours worked in excess of the mandatory hours for that work week.

During a week in which a holiday occurs, the hours worked between the shortened work week total and 40 hours will be compensated for at a rate of hour for hour.

Subject employees will be compensated with time off at the rate of one and one-half times for hours worked in excess of 40 in the work week when such overtime work has been approved in advance by the employee's supervisor. Time and a half (overtime) is not earned until an employee physically works in excess of 40 hours in a work week.

Compensatory time must be taken within 12 months of the month earned. Compensatory Time not taken within 12 months will be compensated in the next regular paycheck.

When subject employees are separated or transferred from this department, the unused balance of compensatory time must be considered as earned overtime and will be paid.

Use of Compensatory Time

The expenditure of Compensatory time must have the prior approval of the supervisor.

The supervisor's decision to grant compensatory time off will be based on the demands on the work unit and the impact of such leave on performance and operations.

The maximum amount of compensatory time that may be accumulated is 240 hours (160 hours straight time). Any accumulation beyond 240 must be paid in the employee's next normal paycheck.

The amount of compensatory time that an employee may take at any one time is not limited, provided that it is taken with the supervisor's approval at a time which will not unduly disrupt the operation of the unit.

An employee's supervisor may require that compensatory time off be taken at a specified time.

Compensatory time will be taken on the First In-First Out (FIFO) accounting method, such that, time taken will be subtracted from the earliest time earned that is still on the records.

Supervisors may require employees to take compensatory time off and may require compensatory time be taken in lieu of Vacation or Sick leave.

Any compensatory time earned and compensatory time taken must be fully documented on the employee's time record.

Compensatory time may not be transferred to any other type leave or to another agency. Compensatory time balances will be paid to the employee when the employee separates or transfers to another agency.

Holiday Compensation

Supervisors must approve all work on holidays. Holiday time off and premium pay will be granted for subject employees in accordance with the state policy. (Reference: Holiday Premium Pay policy).

Exceptions and Exemptions

To meet the needs of operational divisions and programs, exceptions and exemptions are authorized as follows:

- a) Division/Program directors may make exceptions to the normal work week and establish irregular work weeks, as needed, to meet the demands of their respective programs. Written documentation of such a change must be filed in the DENR Division of Human Resources.
- b) Supervisors may grant exceptions to the established workday as needed to meet the demands of their respective units.
- c) Within the framework of this policy, division/program directors may establish additional guidelines for the use of compensatory time in order to address special needs within their program areas. These guidelines must be approved by the DENR Assistant Secretary for Administration.

Call-back Compensation

Time on call-back is determined from the time the employee is notified to return to work until the time the work is completed. Should the employee not depart immediately to report for emergency call-back, management shall determine the reasonable time for travel that should be considered compensable. Employees are guaranteed compensation for a minimum of two hours for each occasion in which a call-back is made after having left the regular work station. If the time on call-back is more than two hours, the employee shall be compensated for the actual time on call-back. A subject employee will be compensated as appropriate for hours worked as a result of a call-back. Subject employees are guaranteed compensation for a minimum of two hours for each occasion in which a call-back is made after the employee has left or before reporting to the regular duty station.

Stand-by Status

Stand-by employees are required to leave word as to where they may be reached at any given time. Some divisions also require employees in Stand-by status to wear pagers. The department's policy, in keeping with State Personnel policy, is not to provide compensation for employees in stand-by status, with or without a pager, unless the employee is actually requested to return to his/her duty station.

Shift Premium Pay

By state policy, employees at specified levels and in certain medically related positions are eligible for shift premium pay. The criteria for identifying which positions are eligible is governed by the state policy as written in the State Personnel Manual.

An eligible employee shall receive shift premium pay for any shift worked if more than half of the scheduled working hours occur between 4:00p.m. and 8:00a.m. on a regularly recurring basis as defined in the State Personnel Manual.

The rate of shift premium pay shall be ten percent of the regular hourly salary rate.

Shift Premium Pay shall be administered under the guidelines of the state policy.

SEE ALSO:

Work and Overtime Compensation in Section 7 of the State Personnel Manual.

Holiday Premium Pay, Shift Premium Pay, Emergency Call-Back Pay, On-Call Compensation policies in Section 7 of the State Personnel Manual.

Compensatory Leave in Section 8 of the State Personnel Manual.

DENR Policy and Procedures on Compensatory Time - Exempt Employees.