



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

Exempt employees shall maintain an accurate and complete record of all compensatory time earned (time worked over 40 hours per week) and all leave taken.

Calculation of Work Week

Vacation Leave, Sick Leave, and Compensatory Leave time are approved as tentative amounts until the work week is completed. At that time, the amounts of Vacation, Sick and Compensatory leave taken are adjusted to fill out the 40 hour work week. Compensatory time will not be earned until the employee has worked the hours required for that workweek. During a week in which a holiday occurs, the hours worked between the shortened work week total and 40 hours will be eligible for compensatory time.

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.

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

Supervisors may require employees to take Compensatory leave and may require that Compensatory leave be taken in lieu of Vacation leave or Sick leave.

Standard Work Week

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

The State Personnel Manual (Section 4) outlines the guidelines for exemptions under the executive, administrative, professional, and law enforcement categories.

Compensation Pay

For those exempt employees within the Division of Forest Resources for whom monetary compensation is authorized by General Statute for excess hours worked in fire suppressions activities, payment will be made on an hour-for-hour basis and paid in accordance with Division of Forest Resources policy.

DENR's divisions are also authorized, (should management desire to do so) to pay at straight-time rates to FLSA exempt employees when all of the following conditions occur:

- There is a gubernatorial declaration of a state of emergency/disaster;
- Employees are performing law enforcement activities or response/recovery activities during the emergency/disaster;
- There is a requirement by management for employees to work overtime during the emergency/disaster; and
- Funds are available. Management shall determine if funds are available and obtain prior approval from the Office of State Budget and Management to use such funds to cover the overtime payments. Management shall distribute any overtime pay consistently with a pre-defined standard that treats all employees equitably.

The absence of any of these conditions will require management to follow the DENR compensatory leave policy for FLSA exempt employees.

Use of Compensatory Time

The expenditure of Compensatory leave must be undertaken with the prior agreement 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 amount of compensatory time that an employee may take at any time is not limited; however, compensatory time may only be taken with the supervisor's approval at a time which will not unduly disrupt the operation of the unit. The maximum amount of compensatory leave that may be taken annually is 240 hours. An employee's supervisor may require that compensatory time off be taken at a specified time.

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

Compensatory time must be taken within 12 months of the month earned. Compensatory time not taken within 12 months from the month earned will be lost at the end of the 12th month.

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.

When exempt employees are separated from departmental service (for example: retirement, resignation, transfer to another agency), the balance of compensatory time will be lost. Compensatory leave may not be transferred to any other type leave.

Special Note: Temporary Employees don't earn/accrue compensatory leave, they are to be paid at the next available pay cycle for compensatory time (time worked over 40 hours per week) earned.

SEE ALSO:

Hours of Work and Overtime Compensation in Section 4 of the State Personnel Manual.

Compensatory Leave in Section 5 of the State Personnel Manual.

DENR Policy and Procedures on Hours of Work, Compensatory Time and Overtime Pay for Subject Employees.