

**PRAIRIE VIEW A&M UNIVERSITY
UNIVERSITY ADMINISTRATIVE PROCEDURE**



31.01.09.P0.01 Overtime

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UAP Purpose

The purpose of this University Administrative Procedure (UAP) is to clarify what constitutes overtime, how it is earned, and usage at Prairie View A&M University (PVAMU). This UAP also outlines the process of requesting overtime. This UAP supplements System Regulation [31.01.09 Overtime](#).

Definitions

Workweek – a fixed and regularly recurring period of seven consecutive 24-hour periods (168 hours), beginning on Sunday and ending on Saturday.

Pay Period – a predetermined set of consecutive calendar days during which an employee's work hours are recorded and for which a payroll check is subsequently produced.

Biweekly Pay Period – this period consists of two workweeks, each of which begins on a Sunday and ends on a Saturday. All PVAMU non-exempt employees work schedules will be defined in this pay period.

Fair Labor Standards Act (FLSA) – a federal statute, which governs the administration and compensation for overtime.

Non-Exempt Employees – employees who are not exempt from FLSA overtime provisions.

Exempt Employees - employees who may be compensated under the state overtime provisions.

Regular Hourly Rate – determined by the hourly rate set for a particular position in the budget.

Student Employees – those employees who hold positions that are reserved only for students of the university. All student employees, except for selected graduate student employees, are non-exempt and are subject to FLSA overtime provisions.

Federal Overtime - mandatory when a non-exempt employee works more than 40 hours in a workweek resulting in overtime, compensated at a rate of one and one half times the regular rate of pay or be granted one and a half hours of compensatory time for hours worked in excess of 40 hours in a workweek.

State Overtime - when an employee has not worked more than 40 hours in a workweek, but the total hours worked and hours of paid leave or holidays exceed 40 hours, the employee earns one hour of compensatory time off for every hour in excess of 40 hours in a workweek.

Official Procedures and Responsibilities

1. GENERAL

- 1.1 All overtime for a nonexempt employee requires advance authorization.
- 1.2 Employees will record and round work time to the nearest quarter hour.
- 1.3 FLSA does not limit the number of hours a non-exempt employee can work each day.
- 1.4 A non-exempt employee must be compensated with either time or pay for time worked over a 40-hour workweek.
- 1.5 All time worked must be documented in the Human Resources Information System (HRIS), including hours worked over a 40 hour workweek.
- 1.6 Hours worked include all time during which an employee's presence is required to be on the employer's premises, or at a prescribed or authorized workplace.
- 1.7 An employee who, as a condition of employment, resides on university property on a permanent basis or for extended periods of time is not considered to be working all of the time while on the premises. Work schedules for such employees will facilitate a 40-hour workweek.
- 1.8 Supervisors are responsible for monitoring the number of hours worked including any hours over a 40-hour workweek.
- 1.9 Supervisors must ensure all hours worked over a 40-hour workweek are paid or entered in the HRIS at the FLSA compensatory rate.

2. NON-EXEMPT EMPLOYEES

- 2.1 Written authorization for overtime must be provided by the supervisor or designated representative based on need, workload, emergencies, or other demands to non-exempt employees with specific skills, training, or experience. Overtime work should be scheduled to provide fair and even distribution of overtime work among staff members whose job classifications are appropriate for the required work.
- 2.2 Non-exempt employees who work without authorization are subject to disciplinary action, up to and including termination, in accordance with System Regulation [32.02.02 Discipline and Dismissal of Nonfaculty Employees](#).
- 2.3 The workweek is Sunday through Saturday, as defined by the Texas A&M University System. A supervisor may adjust a non-exempt employee's workweek schedule so the employee does not work overtime.

- 2.4 Non-exempt employees should not be permitted to accrue overtime. If such a situation occurs, the overtime will be paid to the employee at 1.5 times the employee's current hourly rate of pay.

3. EXEMPT EMPLOYEES

- 3.1 Exempt employees are not eligible for overtime compensatory time (time off) or payment. However, under extraordinary circumstances and with the approval of the CEO or designee, an exempt employee may be approved for compensatory time (time off) as outlined in System Regulation [31.01.09 Overtime](#).

4. USING OVERTIME

- 4.1 To minimize the administration of overtime, supervisors should encourage employees to use overtime during the 12-month period following the end of the workweek in which it was worked.
- 4.2 When requesting time off unrelated to sick leave, all non-exempt employees who have an FLSA Overtime balance must use that time before using vacation leave.

5. PAYMENT OF OVERTIME

- 5.1 FLSA Overtime and State Overtime may be paid out in instances such as those listed in Sections 5.2 and 5.3 below. FLSA Overtime will be paid at 1.5 times the employee's current hourly rate of pay, and State Overtime will be paid at straight time multiplied by the employee's current hourly rate of pay. Both will include any longevity or hazardous duty pay received during the month in which the overtime occurred.
- 5.2 When granting compensatory time (time off) is impractical, employees may receive payment for overtime as permitted in Sections 3.2 and 4.2 of System Regulation [31.01.09 Overtime](#).
- 5.3 Payment of overtime will be based on discussion between the employee and their supervisor and the current budget. With approval from the budget head, the designated departmental Absence Partner will need to edit the payment option in the HRIS for the employee to ensure "payment only."
- 5.4 Employees may accumulate no more than 240 hours of FLSA Overtime, unless they are employees in a public safety, emergency response, or seasonal job who may accumulate no more than 480 hours of FLSA Overtime. Any employee who has reached the limit will be paid the overtime that is in excess of the limit. To process payment, the department head must promptly submit a written request through the appropriate VP to the SVPBA and provide the approved request to the Office of Payroll Services for processing.

6. TRANSFER OF OVERTIME

- 6.1 When an employee transfers between two departments within the same member, the department managers will agree whether the employee will remain on the current department's payroll to use up the time or be allowed to transfer the time.

7. TRAVEL

- 7.1 Travel that keeps a non-exempt employee away from home overnight is counted as hours worked if the employee travels during normal duty hours or corresponding hours on Saturdays and Sundays. Travel outside normal duty hours while on an overnight trip does not count as hours worked. Travel performed both during and outside normal duty hours in association with a one-day assignment in another city that does not require the non-exempt employee to stay overnight is counted as hours worked. Travel that is considered the non-exempt employee's official duty, such as driving a truck or bus, is counted as work time regardless of whether performed during or outside normal duty hours.

Related Statutes, Policies, Regulations and Rules

[System Regulation 31.01.09 Overtime](#)

Contact Office

Office of Human Resources 936-261-1730
