

## 5.3 Compensatory Time Off

**Last Revised:** March 2024

**Policy:** Full-time regular non-exempt employees will receive compensatory time off in lieu of overtime pay for all hours worked over 40 hours in a workweek under the terms and conditions of this policy.

---

### **Purpose/Definitions:**

#### **Purpose**

The purpose of this policy is to clarify the terms and use of compensatory time. This policy outlines who is eligible for compensatory time and how it is calculated and used.

#### **Definitions**

**Compensatory time off**—hours during which an employee is not working, which are not counted as hours worked during the applicable workweek or other work period for purposes of overtime compensation, and for which the employee is compensated at his or her regular rate of pay.

**Exempt employees**—employees who, based on the duties performed and the manner of compensation, are exempt from the Fair Labor Standards Act (FLSA) minimum wage and overtime provisions. Instructors/teachers/faculty are exempt if their primary duty is teaching, tutoring, instructing, or lecturing to impart knowledge, and if they are performing that duty as an employee of an educational establishment.

**Non-Exempt employees**—any employees who do not meet the criteria to be exempt.

**Workweek**—a seven-day period beginning at 12:01 a.m. on Sunday and ending at midnight on the following Saturday.

---

**Approval Authority/Monitoring Authority:** Piedmont Community College's Board of Trustees has approval authority. The Vice President, Administrative Services/CFO has monitoring authority for this policy.

---

**Procedure:**

**Section 1: General Provisions**

- 1.1. Only governmental (public) agencies are allowed to give compensatory time off based on one and one-half times the number of hours worked in excess of 40 in a workweek under certain conditions to its employees pursuant to the federal Fair Labor Standards Act (FLSA).
- 1.2. Employees who do not know if they are exempt or non-exempt should contact the Office of Human Resources and Organizational Development (HROD) for clarification.

**Section 2: Exempt Employees**

- 2.1. Exempt employees will not earn compensatory time off for hours worked in excess of 40 hours within a week.
- 2.2. Exemptions are determined based on each specific employment situation.
  - 2.2.1. Job titles alone do not determine the exempt or non-exempt status of any employee.
  - 2.2.2. Each determination is based on the specific job duties performed and compensation received.

**Section 3: Maintaining a 40-hour work week**

- 3.1. If a non-exempt employee is required to work in excess of their regular workday, the employee may adjust their schedule during the same week to maintain a 40-hour workweek.
- 3.2. If a non-exempt employee is required to work on Saturday in support of an on-campus or off-campus activity, the employee may be given an equal number of hours off during the week preceding the Saturday work.
- 3.3. Any schedule adjustments must be approved by the employee's immediate supervisor.

**Section 4: Accrual of compensatory time**

- 4.1. Non-exempt employees will be given compensatory time off on the basis of 1½ times the amount of time worked beyond 40 hours during a week.

- 4.1.1. Time off charged to any type of approved, paid leave does not count as hours worked during a week.
- 4.2. The need for a non-exempt employee to work beyond their normal workday, and the number of hours worked, will be determined and approved by the employee's immediate supervisor prior to the time the work is performed.
- 4.3. The supervisor is responsible for oversight of the compensatory time and should apply it consistently to all employees under their supervision.

Section 5: Use of compensatory time

- 5.1. Compensatory time is not intended to be cumulative and treated as additional cumulative leave to be saved for later use.
- 5.2. Compensatory time off should be taken within the pay period whenever possible.
- 5.3. Compensatory time off will be taken before any sick, petty, vacation, or bonus leave.
- 5.4. Compensatory time off cannot be denied to a non-exempt employee unless the compensatory time off will unduly disrupt college operations.
- 5.5. No consideration will be given for unused compensatory time off upon separation of the employee from services with the College.
- 5.6. A record of compensatory time off will be maintained on the employee's petty leave/compensatory time record card and approved by the supervisor.

---

**Legal Citation:** [29 U.S.C. §§ 201 to 219 -- Fair Labor Standards Act;](#)  
[29 U.S.C. §207\(o\) -- compensatory time](#)

---

**History:** Effective February 1976; Revised May 1985, October 1988, January 2012, December 2016, June 2021, March 2024