Chapter 2: Professional Practices	**Policy #** 2.10	**Page**: 1 of 2
Subject: Compensation for Overtime Services	**Standards**: State of Delaware Merit Rules, Collective Bargaining Agreements, State Compensatory Time Policy	
Effective Date: 6/27/14	**Revised**:	

I. PURPOSE: The purpose of this policy is to ensure the existence of operational guidelines for overtime.

II. POLICY: This policy establishes a standard practice for authorization and documentation of the usage of overtime within the Division that is in compliance with the Fair Labor Standards Act.

III. Definitions:

A. Fair Labor Standards Act: The Fair Labor Standards Act (FLSA) requires that most covered employees receive overtime pay at time and one-half their regular rate of pay for all hours worked in excess of 40 per week. However, employees working in executive, administrative and professional positions are exempt from these overtime pay requirements.

IV. PROCEDURES:

A. Overtime: Whenever a manager or supervisor becomes aware of a need for the use of staff on an overtime basis, advanced authorization for the overtime must be obtained from the next highest-level administrator or designee.

B. Compensatory Time: Compensatory time shall be requested and approved in advance. Staff must complete the Compensatory Time Authorization Form (Attachment A) and submit to their supervisor for approval.

C. Justification:

1. Overtime shall be approved for the following reasons:

a. Population/Building Stability
b. Close/Intensive Observation
c. Position Vacancy
d. Scheduled Day Off
e. FMLA, Workman's Compensation
f. Sick Leave
g. Annual Leave
h. Transportation of Youth
i. Hospital Coverage/Medical Transportation of Youth
j. Training
k. Military Leave, Jury Duty, Compassionate Leave
l. Non-Direct Care
m. Leave Without Pay, Suspension Replacement

n. Staff and Client Related Meetings and Paperwork
o. Tardiness
p. Other Reason Identified and Approved by Superintendent or Designee

2. Once required, overtime shall be distributed within each administrative unit as outlined in the applicable Collective Bargaining Agreement.

D. Documentation: The Superintendent/Chief/Administrator is responsible for recording all instances of overtime usage.

1. The program units will be responsible for tracking the following information daily on the Daily Time Sheet and Exception Report or other approved documents:

a. Number of overtime hours worked per identified employee
b. Reasons for overtime usage per identified employee
c. Total number of hours worked per identified employee

2. The Superintendent/Chief/Administrator or designees will review all overtime record sheets at the end of each pay cycle.

3. An overtime usage report shall be submitted to the Office of the Director at the end of each pay cycle.

E. Involuntary Overtime: It is recognized that involuntary overtime is necessary and an employee may be required to remain on the job beyond their normal hours until properly relieved, due to operational needs.

Review Date:	Reviewed By:
6/27/14	Nancy S. Dietz