

## TAMUG NONEXEMPT EMPLOYEE OVERTIME GUIDELINES

### General Information:

- All overtime for a nonexempt employee requires advance supervisor approval (see below for limits to this approval authority).
- Texas A&M University at Galveston awards compensatory time for employees instead of paying for overtime, except in limited circumstances.
  - Non-benefits eligible part-time and temporary employees do not accrue compensatory-time and must be paid for all time worked.
- Supervisors must ensure each nonexempt employee records total hours worked each day and documents exceptions to the normal workday (e.g., approved overtime, vacation, or other absences).
- A supervisor or manager may adjust a nonexempt employee's work schedule in a workweek so the employee does not work overtime.
- FAIR LABOR STANDARDS ACT (FLSA) OVERTIME FOR NONEXEMPT EMPLOYEES
  - Texas A&M University at Galveston will compensate eligible employees for FLSA overtime by granting the employee compensatory time off at the rate of one and one-half hours for each hour of overtime worked. Where granting compensatory time off is impractical, Department Heads may request approval to pay for the overtime by submitting a request to the Chief Operating Officer (COO) in writing. (See "Approval Process" below for instructions)
  - Nonexempt employees who work in a public safety, emergency response or seasonal activity who accrue more than 480 hours of FLSA compensatory time will be paid overtime compensation for additional overtime hours worked. All other nonexempt employees who accrue more than 240 hours of FLSA compensatory time will be paid overtime compensation for additional overtime hours worked.
  - Texas A&M University at Galveston's practice is to minimize FLSA overtime worked and the resulting compensatory time balances.
  - Vacation, holidays, sick leave, other official leaves of absence and compensatory time are not counted as hours worked for assessing overtime liability under the FLSA.
  - When practical, FLSA overtime compensatory-time should be taken during the 12-month period following the end of the workweek in which the overtime was worked.
  - Texas A&M University at Galveston may require an employee to take FLSA compensatory time and may require the employee to use FLSA compensatory time before using vacation time.
- STATE OVERTIME FOR NONEXEMPT EMPLOYEES
  - When an employee has not worked more than 40 hours in a workweek but the total hours worked and hours of paid leave or paid holidays exceed 40 hours, the employee will be allowed one hour of compensatory time off for every hour in excess of 40 in a workweek.
  - State compensatory time must be taken during the 12-month period following the end of that workweek and may not be carried forward past the end of the 12-month period. When it is determined that allowing state compensatory time off would be disruptive to normal teaching, research, and other critical functions, an employee may be paid for compensatory time on a straight-time basis. (See "Approval Process" below for instructions)
- COMPENSATORY TIME ACCRUAL
  - Nonexempt employees who work in public safety or marine vessel operations may accrue no more than 120 hours of total compensatory time (FLSA and State) without

prior written approval of the COO. All other nonexempt employees may accrue no more than 60 hours of total compensatory time (FLSA and State) without prior written approval of the COO.

Approval Process:

- If a Department Head would like to **request approval for a nonexempt employee to work overtime in excess of the limitations established in the “Compensatory Time Accrual” section above**, a written request will need to be routed through normal administrative (supervisory) channels to Human Resources, then to the COO for final approval.
  - All requests for non-benefits eligible part-time and temporary employees to work overtime must be approved in advance by the COO.
- If a Department Head would like to **request approval for a nonexempt employee to be paid instead of accruing compensatory time**, a written request will need to be routed through normal administrative (supervisory) channels to Human Resources, then to the COO for final approval.

Resources:

- [System Regulation 31.01.09 - Overtime](#)