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Article 21
CSEA Proposal
09/22/2023

ARTICLE 21 - OVERTIME AND COMPENSATORY TIME

21.1 Overtime

Overtime includes any time the employee is required to work in excess of eight (8) hours in one (1) workday for employees with a regular 40-hour workweek; or in excess of ten (10) hours in one (1) workday for employees with an alternative work schedules of four (4) days per week with a regular 40-hour workweek; or in excess of twelve (12) hours in one (1) workday for employees with an alternative work schedules of four (4) days per week with a regular 48-hour workweek. An employee whose regular work schedule is less than 40-hours, is entitled to be paid for the extra hours at his/her regular rate of pay up to 40-hours work. Hours worked by an employee whose regular schedule is less than 40-hours shall be paid overtime for all hours worked in excess of 40-hours. Supervisors may require an employee to work overtime to complete a task. An employee must request to work any overtime to complete a necessary task, at least two hours before the end of his/her shift or when it becomes apparent that a particular task will not be completed by the end of the employee's shift.

Employees shall not work overtime without the verbal or written approval of a supervisor. In the event that an employee is called by non-Facilities Services personnel, such as Campus Police, another manager, or administrator, the employee will have been deemed to have received work authorization. If such a call is received outside of regular work hours, the provisions of Article 22 (Call-Back Pay) shall apply. All employees will provide current and accurate contact information (for contact outside of the workplace) to their supervisor in order that communications can be optimized. Pay for any such overtime work will be the overtime rate which is 1½ times the hourly rate of the employee's salary or compensating time of 1½ hours off for each additional hour worked.

28 **21.1.1 Overtime Distribution**

29 Overtime shall be offered by seniority on a rotating basis by classification or job family. Once a
30 unit member has accepted an overtime assignment, the unit member shall be placed at the
31 bottom of the list. Any unit member shall have the right to reject any offer or request for overtime
32 or call-back. If no volunteers are found, overtime can be offered department wide, as long as the
33 job doesn't require specialized skills. **The overtime assignment list shall be posted in a**
34 **public area no less than seven (7) days prior to the assignment and with the following**
35 **minimum information:**

36 - **Date of Assignment**
37 *Supervisor assigning the OT, Date, and Hours.*

38 - **Assignment Description**
39 *Type of Work, Conditions.*

40 - **List of eligible employees for overtime.**
41 *Seniority, Classification, Start of rotation, Attendance status.*

42 - **Date Last Worked**
43 *The Date each member last worked OT.*

44 **The overseeing supervisor will notify all unit members who signed up for overtime by**
45 **permitted communication methods provided by the District and through the posting of the**
46 **overtime sign up sheet for assigned unit members. Notice of scheduled overtime, for**
47 **situations that are recurring or have advance notice, and which are offered on a rotational**
48 **basis shall be posted in the same area as all required employment notices and**
49 **announcements and will remain up until the work has been completed.**

51 **21.1.2 Overtime Assignment**

52 In the absence of any volunteers for offered overtime, the District shall assign overtime based on
53 the details of the assignment, the qualifications of available personnel, and the discretion of the
54 scheduling supervisor.

55 **21.1.3 Overtime attendance**

56 A unit member who fails to report for the volunteered overtime shift, shall be taken off the
57 overtime assignment list for 30 regularly scheduled working days.

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63 **21.1.4 Emergency Overtime**

64 **In the event that the employer needs a unit member to work overtime with less than 8**
65 **hours notice, the appointing supervisor shall first contact qualified unit members who**
66 **have not worked an overtime assignment in the previous week or seven (7) working days.**
67 **Once assigned, the supervisor will email the CSEA chapter president to notify them of**
68 **the overtime assignment, and the reason for the short notice. The selected unit member's**
69 **overtime shall be updated on the overtime "date last worked" and added to the rotation**
70 **list.**
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73 **21.2 Compensatory Time**

74 Compensatory time is accrued at the rate of one and one-half hours for each overtime hour
75 worked. **Overtime worked will be compensated by compensatory time unless Immediate**
76 **Payout is requested by the employee via email at least three (3) working days in advance.**

77 Compensatory time may be earned and used only with prior approval of the employee's
78 immediate supervisor, or the Director of Facilities Services. ~~Normal use of such time off is to be~~
79 ~~requested in writing at least three (3) working days in advance, and must be approved by a~~
80 ~~supervisor. "Emergency" immediate payout use of compensatory time off (not with three days'~~
81 ~~advanced notice) shall be requested by the employee as soon as possible, and approval of such~~
82 ~~time shall be granted at the sole discretion of the Director of Facilities, or his/her designee **and**~~
83 **noted on the unit member's time sheet.** Any use of compensatory time shall be subject to the
84 operational needs of the District. **A bargaining unit employee's request for compensatory**
85 **time off shall follow the same procedure as Vacation in Article 18.**

86 Compensatory time must be used ~~within twelve (12) calendar months~~ **by the end of the fiscal**
87 **year** ~~after the time was earned~~, or it shall be paid at the applicable overtime rate. Upon
88 termination of employment, the employee will receive payment for all accrued, unused
89 compensatory time calculated based on the employee's regular rate at the time of termination.

90 **21.2.1 Any earned compensatory time in excess of sixty (60) hours that is not used by**
91 **June 30 of each year shall be paid out at the unit member's current rate of pay by August**
92 **31 of each year.**

93 **21.2.2 Unused compensatory time may not exceed 240 hours. In the event that a unit**
94 **member has accumulated 240 hours of compensatory time, any additional earned**
95 **overtime shall be compensated via immediate payout at a rate equal to one and one-half**
96 **times the unit member's rate of pay or double time when applicable.**

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21.2.3 Compensatory time off shall be taken in increments of no less than five (5) minutes.

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