



The College at Brockport
State University of New York

Responsible Office: Human Resources

Policy Title:
Overtime

Policy:

The subject of overtime compensation is covered by Federal Fair Labor Standards Act (FLSA) as well as in collective bargaining agreements. The FLSA deals with issues of minimum wage and overtime for hours worked in excess of 40 per week. The College can be held liable by the Department of Labor if we are not adhering to the provisions of the FLSA in compensating employees for any hours worked over 40 hours per work week.

Classified employees who work more than 40 hours per week must be compensated at time and one half. Those Classified employees who work 37.5 hours per week earn compensatory time at straight time for overtime worked between 37.5 and 40 hours and paid time and one half for weekly hours worked in excess of 40.

According to the FLSA, employers are required to pay overtime for hours worked over 40 in any given week if the supervisor **knew or should have known** the employee was performing his/her duties.

Therefore, any time a Classified Employee works through their lunch or works before or after regular hours, these hours must be documented on the time sheet and factored into the total hours worked for the day/week. Classified staff should not be “volunteering” their time to complete tasks, duties and responsibilities before or after their standard work hours.

Disciplinary action may be taken if individuals violate this policy.

Procedure:

Classified employees must work their assigned work schedule and may not deviate from that schedule without prior supervisor’s approval. Employees may not work hours beyond their work schedule without a supervisor’s explicit permission.

All employees who work 6 or more hours per day must have a minimum of a 30 minute meal break. Employees may not work through or skip their meal break to shorten the work day or receive additional compensation.

Classified employees must submit a biweekly timesheet. The employee and supervisor must sign the timesheet indicating that the hours reported are correct.

Reference(s):

Classified Handbook; <http://www.brockport.edu/hr/resources/>