

**MARKLUND**  
**HUMAN RESOURCES POLICY AND PROCEDURE**

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**POLICY NO: 4.1.1**

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**SUBJECT: OVERTIME COMPENSATION**

**DEPARTMENTS AFFECTED: ALL**

**APPROVED BY:**

**ISSUED: 12-1-90 REVISED: 7-9-98, 3-16-00, 10-01-01, 02-27-07 EFF DATE: 12-1-90**

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**PURPOSE:**

To define the policy governing the payment of overtime compensation.

**POLICY:**

The payment of overtime compensation will be in compliance with Fair Labor Standards Act (F.L.S.A.) and in accordance with the provision set forth in this policy.

**PROCEDURE:**

I. Eligibility for Overtime

A. Exempt Status

Personnel employed in certain job classifications considered under the Fair Labor Standards Act to be Executive, administrative or professional in nature are exempt from the provisions of the act and are not eligible for overtime compensation.

1. These positions, namely management, administrative and professional staff, are compensated on a salary basis without regard to the number of hours or days worked per week. These positions are, however, subject to policy on various paid and non-paid absences.
2. It is understood that these positions may at times require longer hours and that extra time and effort will normally increase in relation to the responsibility of the positions involved. No payment will be made for such long hours although in recognition of the fact that these are exempt staff, there may be occasions when they may work less than an eight-hour workday.

B. Non-Exempt Status

Personnel determined to be a non-exempt under the Fair Labor Standards Act will be compensated for overtime hours at a rate of one and one-half times the employee's regular rate of pay for hours worked over forty in one week.

- C. Determining the exempt or non-exempt status is the responsibility of the hiring department.

II. Overtime Provisions

A. 40-Hour Provision

1. Under the 40-hour provision employees will receive one and one-half times their regular rate of pay for any hours worked in excess of a 40-hour work week. No overtime premium is pay for hours worked in excess of an 8-hour day unless such hours are in excess of a 40-hour work week.

III. Hours or Time Worked

1. Break periods of short duration (5-20) minutes are considered time worked. Lunch breaks taken on premises and not exceeding 30 minutes are considered time worked.
2. Uniform or gown change time at the beginning and end of a shift is considered time worked when the wearing of a uniform is required and the employee must change at work.
3. Mandatory attendance at meetings, seminars, lectures, etc. is considered time worked.
4. Voluntary or recommended education programs are not considered time worked for the purpose of calculating overtime compensation.

A. Definition of a Workweek and Workday

1. The facility's workweek is a fixed and regularly recurring period of 168 hours - seven consecutive 24-hour periods beginning on Saturday at 11:00 P.M. and ending seven days later.
2. A work day for purposes of scheduling is 11:00 P.M. to 11:00 P.M.

B. Definition of Regular Rate of Pay

The regular rate of pay includes all applicable shift differentials received by the employee for the pay period in question.

C. Overtime Authorization

1. Any time worked over normal scheduled work week must be authorized by the employee's supervisor prior to the time worked.
2. Supervisor will indicate the approval of these hours worked by signing the employees time sheet after reviewing it.

3. Any unauthorized overtime must be discussed with the employer by the supervisor. Employees may be subject to developmental action up to and including termination for working unauthorized overtime.