

(court name)
OVERTIME AND COMPENSATORY TIME POLICY

1. OVERTIME REQUIREMENT. Overtime may be necessary and required, based on the needs of Court. Supervisors shall attempt to distribute overtime as equally as practicable among qualified employees within those classifications in which overtime is required. Employees may be required to work overtime, if necessary.

2. CALCULATING OVERTIME. Employees not exempt from the overtime provisions of the Fair Labor Standards Act shall not work prior to, after or outside their regularly scheduled hours unless authorized to do so by their Supervisor or in emergency situations. Employees shall be considered to be working overtime for hours actually worked in excess of forty hours in any one workweek, regardless of whether the employee is regularly scheduled for seven hours or eight hours per day. Only hours actually worked are considered for purposes of calculating overtime. Vacation leave, sick leave, personal days, lunch hours, bereavement leave, holidays and any other paid or unpaid leaves shall not be considered hours worked for purposes of calculating overtime.

3. OVERTIME COMPENSATION. Overtime shall be compensated at a rate of one and one-half times the employee's regular rate of pay for all hours actually worked in excess of forty hours in any one week. Overtime shall be approved only at the discretion of the appropriate Supervisor.

4. EMPLOYEES EXEMPT FROM OVERTIME. Employees exempt from the Fair Labor Standards Act (FLSA) are not eligible for overtime payment. The appropriate court official shall determine if an employee is exempt from overtime requirements for purposes of the FLSA. Such exemptions may include employees whose job duties are executive, administrative or professional in nature. If approved by the court official, a bona fide executive, administrative or professional employee may receive compensatory time off, at the rate of one hour for each hour of overtime, within one hundred eighty (180) days of the performance of the overtime.

PLEASE NOTE: SOME COURTS "PAY" OVERTIME. OTHERS DO NOT.