

# R816, Overtime Pay, Overload Assignments, and Compensatory Time<sup>1</sup>

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**R816-1. Purpose:** To provide guidelines for institutional policies governing overtime pay, overload assignments and compensatory time.

## R816-2. References

- 2.1. Utah Code §53B-2-106 (Duties and Responsibilities of the President - Approval of the Board of Trustees)
- 2.2. Policy and Procedure R811, Guidelines for Classification of Non-Exempt Personnel
- 2.3. Fair Labor Standards Act, 29 U.S.C. Section 201 et seq.

## R816-3. Definitions

- 3.1. **"Exempt Staff"**: an employee who is exempt as defined by the Fair Labor Standards Act, 29 U.S.C. Section 201 et seq. (the "FLSA").
- 3.2. **"Nonexempt Staff"**: an employee who is nonexempt as defined by the FLSA.
- 3.3. **"Overtime"**: time worked in excess of the employee's work period as defined by FLSA.
- 3.4. **"Overload assignment"**: a separate employment assignment at the institution in addition to the employee's regular employment assignment.
- 3.5. **"Compensatory time"**: institutionally approved time off in lieu of overtime pay.

## R816-4. Policy

- 4.1. **Institutional Policy:** Each institution shall have policies, in compliance with the Fair Labor Standards Act, governing the treatment of overtime pay, overload assignments, and compensatory time. Separate policies may be established for executive staff, faculty, exempt staff, and nonexempt staff. The policy(ies) must address the following:
  - 4.1.1. Is the category of employee eligible for overtime pay, overload assignments, or compensatory time?
  - 4.1.2. How shall overtime pay, payment for overload assignment, or compensatory time be determined?
  - 4.1.3. When and how will overtime pay, payment for overload assignments, or compensatory time be authorized?
  - 4.1.4. How much overtime, overload assignments, or compensatory time shall be allowed each employee?

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<sup>1</sup> Adopted May 15, 1992.

4.1.5. How will overtime pay and payment for overload assignments be paid?

4.2. **Reporting Requirements:** Institutional policies must provide for preparation of reports summarizing payments for overtime and overload assignments made by the institution. Reports should include amounts paid from all fund sources. Reports should be reviewed annually by the President.

4.3. **Board of Trustees Approval:** The institutional Board of Trustees must approve institutional policies relating to overtime pay, payments for overload assignments, and compensatory time for compliance with State Board of Regents policy.