



Ohio Administrative Code Rule 3335-83-06 Compensatory time.

Effective: December 20, 2020

An authorized administrative authority has the discretion to determine whether a non-exempt employee may elect to earn compensatory time in lieu of overtime pay. When offered the choice, a non-exempt employee may elect to earn compensatory time in lieu of overtime pay.

(A) An authorized administrative authority may require a non-exempt employee to designate whether they want to earn compensatory time or overtime compensation prior to being approved to perform the work. When a non-exempt employee designates compensatory time and works overtime, the authorized administrative authority must approve the compensatory time election.

(B) Such compensatory time shall be granted by the authorized administrative authority on a time and one-half basis and at a time mutually agreed upon by the non-exempt employee and the authorized administrative authority.

(C) A non-exempt employee may not maintain more than two hundred forty hours of compensatory time. Earned compensatory time must be used within three hundred sixty-five days from the day it was earned. Any earned compensatory time that is not used within three hundred sixty-five days will be paid out on a regular paycheck.

(D) A non-exempt employee who reaches the maximum two hundred forty accrued hours of compensatory time will be paid for any hours that exceed that maximum in the pay period following the pay period in which the maximum was reached.

(E) Unused compensatory time will be paid at the employee's current base hourly rate of pay in the following circumstances:

(1) If not taken within three hundred sixty-five days of being earned; or

(2) Upon job transfer, in which case the unit from which the employee is transferring holds the



financial responsibility for the pay out to the employee; or

(3) Upon moving from a non-exempt position to an exempt position; or

(4) Upon separation from employment.