



## Ohio Administrative Code

### Rule 3339-4-01 Compensation-wages/overtime/compensatory time for unclassified administrative staff.

Effective: December 17, 2018

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#### (A) Determining eligibility

Full-time unclassified administrative staff are expected to work at least forty hours per week and may need to work more than forty hours per week to fulfill their employment responsibilities. The fair labor standards act (FLSA) requires the university to pay some unclassified staff overtime pay in the amount of one and one-half times the employee's regular pay rate for all hours worked over forty hours in a workweek or to provide them with compensatory time off. The university workweek begins at one second after twelve a.m. on Saturday and ends at twelve p.m. midnight on Friday. The positions that are covered by FLSA overtime regulations are called non-exempt or overtime eligible."

Salaried positions that meet certain criteria are exempt from the FLSA's overtime requirements. Unclassified administrative staff in overtime exempt positions are not eligible for and do not receive overtime payment or compensatory time off. The FLSA overtime eligibility status of a position is established at the time it is created and may be reviewed if the duties or pay changes.

The department of human resources and academic personnel services are responsible for determining the overtime eligibility status for all positions.

#### (B) Reporting time worked

All overtime-eligible employees are required to maintain accurate records of time worked. The university uses an electronic time-reporting system, and overtime-eligible employees are required to use this system unless a different method is approved in writing by the appropriate personnel office. All overtime-eligible employees are paid on the university's bi-weekly payroll.

Any employee who falsifies a time record is subject to disciplinary action, up to and including termination of employment. Supervisors are responsible for reviewing, approving, and correcting



reported time and for ensuring that all records are current and accurate. Supervisors are required to communicate any changes to the employee in writing or have a written request from the employee to change the time record.

(C) Working overtime

Overtime-eligible employees must obtain approval from their supervisor to work more than forty hours in any workweek. Overtime-eligible employees will be paid for all hours worked whether overtime has been approved or not. However, employees who work overtime hours without their supervisors approval are subject to disciplinary action, up to and including termination of employment.

(D) Overtime pay

Overtime-eligible employees will be paid one and one-half times their regular pay rate for hours worked in excess of forty in a workweek. Paid time that is not actually worked, including (but not limited to) vacation, sick leave, and holidays, does not apply toward the calculation of overtime.

An overtime-eligible employee who works in more than one appointment to achieve full-time status during a workweek will have the hours worked in all positions combined to calculate the total hours worked. Overtime-eligible employees with a full-time appointment may not have an additional appointment.

No employee is eligible for overtime unless the employee actually works in excess of forty hours per workweek.

(E) Volunteer work

An overtime-eligible employee cannot volunteer to do extra work in the department in order to get the work accomplished.

(F) Supplemental work



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