**\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY ROAD COMMISSION**

**COMPENSATORY TIME POLICY**

The Road Commission will allow eligible non-union, non-exempt employees under the Fair Labor Standards Act (FLSA) to earn compensatory time off in lieu of overtime pay, upon mutual agreement between the employee and the Road Commission before the overtime is worked. In order to be eligible, the employee must be allowed by the Road Commission to take at least 10 days off with pay each year, in addition to compensatory time.

In accordance with the FLSA, hours worked in excess of forty (40) hours per week constitutes overtime. All overtime worked during a given week must be recorded as either overtime pay or compensatory time earned (if eligible). All overtime worked must be approved by the employee’s supervisor in advance. An employee who works overtime that has not been authorized in advance may be subject to disciplinary action.

Compensatory time off shall be given at the rate of one and one-half (1.5) hours for each hour of overtime worked. The Road Commission will allow eligible non-union, non-exempt employees to accrue compensatory time up to two hundred and forty (240) hours—which reflects one hundred and sixty hours (160) hours worked x 1.5. Compensatory time off may be used in quarter hour (.25) increments.

Usage of compensatory time is permitted at supervisor discretion. The employee must request to use earned compensatory time by giving his/her supervisor sufficient written notice in advance. Provided such advance written notice is given, the supervisor must grant the request as long as there is no undue disruption to the operations of the Road Commission. Supervisors should consider the impact on the operations of the Road Commission when granting or denying compensatory time usage. Efforts should be made to accommodate the employee request where possible.

If the employee is not permitted to take accrued compensatory time off within a reasonable period, upon a request by the employee, any compensatory time accrued may be paid at the employee’s regular hourly rate in effect at the time of the request in the employee’s next regular paycheck.

All compensatory time must be used or paid off before an employee transfers to another position. Upon separation, an employee must be paid for unused compensatory time at either the employee’s final regular hourly rate or the average regular rate received by such employee during the last 3 years of the employee’s employment, whichever is higher.

The Road Commission will provide an employee with a record of compensatory time earned by or paid to the employee in the statement of earnings for the period in which the compensatory time is earned or paid. The Road Commission will also provide 60 days’ notice before cancellation of this policy.