Section 3	Human Resources Policies	04/15/96 -Originated
Subject 3.4	Compensation	05/07/09 - Reviewed w/ changes - Reviewed w/o changes
Policy 3.4.3	**State Compensatory Time**	Human Resources - Author

State Compensatory Time

Policy

This policy provides guidelines regarding the granting of state compensatory time in lieu of salary payments to classified employees who are exempt from the overtime requirements of the Fair Labor Standards Act (FLSA). With prior supervisory approval, such an employee may earn state compensatory time for hours worked greater than the employee's appointed hours in a work cycle. Each UTMB entity leader or his/her designee shall maintain a state compensatory time policy that describes the applicability of the policy, identifies the approvals an employee must obtain, and explains permitted accruals.

Except as specified in the General Appropriations Act and clarified by UTMB policy, an exempt employee may not accrue state compensatory time except at the employee's regular or temporarily assigned place of employment. An employee's personal residence may not be considered the employee's regular or temporarily assigned place of employment.

Eligible Positions

All exempt positions listed on the HR web may be eligible to earn state compensatory time. Classified exempt positions at UTMB are considered to be of a professional nature; as such, full-time classified exempt employees may be required to work more than 40 productive hours in a workweek to complete their job responsibilities. Classified exempt employees are not automatically entitled to earn state compensatory time.

State Compensatory Time Approval Criteria

An employee's supervisor may grant a state compensatory time opportunity under the following circumstances:

1. Under extenuating circumstances when normal work operation is outside of regular and recurring business schedules;
2. When major project deadlines will otherwise be compromised;
3. When patient care needs will otherwise not be met; or
4. When University contract obligations and/or funding will otherwise be jeopardized.

In these circumstances, the supervisor must grant approval in accordance with departmental policy before the state compensatory time is earned.

Institutional leadership may also adjust work schedules for exempt employees during a single workweek in lieu of granting state compensatory time to those employees.

Accrual & Use

If approved, compensatory time may be earned and used up to a maximum of 120 hours. Compensatory time may be awarded at a rate not to exceed one hour of compensatory time off for each hour of time worked.

Compensatory time must be taken prior to the end of the twelve month period following the date on which the time was earned. Managers are responsible for encouraging their employees who have accrued compensatory time to take their earned time prior to expiration upon 12 months.

Employees who have reached the maximum of 120 hours and subsequently accrue approved compensatory time will have the oldest equivalent time replaced by the new accruals. The oldest hours greater than the maximum of 120 hours will be removed from the balance at the end of each month.

If the compensatory time is not taken within 12 months from the date of accrual, the accrual is forfeited and will automatically be dropped from the employee's accrual records.

Exempt classified employees are not paid for any compensatory time accrued and not used at the time of separation from UTMB.

Request for use of accrued compensatory time must be submitted on the Leave Request Form and must be approved by the department head, supervisor, or designee prior to being taken

Record Keeping

Compensatory time earned and taken shall be reported using the institutional time forms.

References

IHOP Policy *3.7.1, Attendance Policy*

IHOP Policy *4.1.4, Time and Attendance Reporting Policy*

Fair Labor Standards Act

Texas Government Code, Sections 659.016, 659.018, 659.022, 659.023