DEPARTMENT OF MENTAL HEALTH
POLICY/PROCEDURE

SUBJECT **OVERTIME ACCRUAL FOR FLSA-EXEMPT EMPLOYEES**	POLICY NO. **609.07**	EFFECTIVE DATE **10/08/2010**	PAGE **1 of 3**
APPROVED BY: Director	SUPERSEDES **609.7** **09/01/2006**	ORIGINAL ISSUE DATE **09/01/2006**	DISTRIBUTION LEVEL(S) **1**

PURPOSE

1.1 To establish a standard policy, procedure, and tracking system for accrued overtime hours using the Aggregate Method for all exempt employees within the Los Angeles County - Department of Mental Health (LAC-DMH)

POLICY

2.1 The Director of Mental Health directly or through subordinate managers and supervisors may require exempt salaried employees to work more than the regular number of hours in an assigned workday or workweek when departmental necessity requires such work.

2.2 No employee may work overtime hours without prior authorization from his/her manager unless emergent circumstances require the overtime and prior approval could not be obtained.

2.3 The Aggregate Method to accrue overtime hours for exempt salaried employees is defined as follows:

    2.3.1 Overtime shall be accumulated at the straight time rate only if the employee works **three (3)** or more hours of continuous overtime on any work shift.

    2.3.2 No overtime credit is received for less than three (3) hours of overtime.

    2.3.3 Overtime will not be accumulated in increments under three (3) hours. Hours worked in less than 3-hour increments are coded as 083 on the timecard.

2.4 A maximum of 240 hours may be accrued and carried over into the following year.

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2.5 Overtime must be used on an 8-hour basis. Exempt employees who are on 9/80 or 4/40 schedules will only be required to account for eight (8) hours. The difference will be coded with Exempt Leave (Earning Code 019).

2.6 In addition to compensatory overtime normally worked, the Chief Executive Office may allow exempt salaried employees to accrue a full day of disaster CTO (Compensatory Time Off - entered as code 711) for each day of overtime worked because of a major emergency such as a civil disturbance, earthquake, flood, etc., provided that the event is so designated by the Board of Supervisors and the employee is instructed to work on the disaster recovery project.

2.7 There are no maximum full day accrual limitations on accruing disaster CTO. Department management is responsible for ensuring that such CTO is associated with a major emergency. Unlike normal Non-Fair Labor Standards Act (FLSA) CTO (earning code 705), unused disaster CTO may be paid for, but only if payment is authorized by the CEO. Unused disaster CTO is carried in leave balance as earning code 808.

PROCEDURE-GENERAL

3.1 Exempt Salaried Employees must obtain advance authorization from an Executive Management Team (EMT) member to work overtime beyond their regularly assigned work schedules.

3.2 Without such authorization, no overtime may be worked or earned as credit for an exempt salaried employee except as stated in Section 2.2 of this policy.

3.3 Each request must include sufficient justification and be submitted in the time and manner required by management.

3.4 There shall be no paid overtime for the FLSA exempt employees.

3.5 With prior management approval, FLSA exempt employees may use overtime previously earned in lieu of other time when taking a full shift off.

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3.6   Overtime taken off must be used on a day-for-day basis. It cannot be used on an hour-for-hour basis unless it is used to cover an absence for Family Medical Leave.

3.7   FLSA exempt employees shall not be paid for compensatory time remaining on the books upon termination of Los Angeles County service.

PROCEDURE-TRACKING SYSTEM FOR ACCRUED OVERTIME AND HOURS WORKED BEYOND THE WORKDAY

4.1   Exempt employees who work overtime in 3-hour increments shall record those hours immediately. The Department will no longer use the Compensatory Time Off Record to document hours when the employee has reached a workday (8 hours). With the implementation of eCAPS Time Collection, all overtime worked requires a reason code to be entered in order to process the timesheet. The reason should be determined by management at the time of approval.

4.2   Exempt employees who work less than three (3) hours of overtime on one (1) day will not be able to accrue that time. As this is the case, those hours need to be recorded on the electronic timecard using code 083. FLSA exempt employees who work hours beyond their regular shift, but less than the three (3) hours minimum required for compensation of accrued time, as defined in this policy, will accurately account for all hours worked that are in excess of their daily work shift by using code 083 compensatory time worked not accrued-exempt employees. **Use of code 083 will not result in accrual of overtime hours but will allow tracking hours worked beyond the scheduled work shift**. Tracking code 083 does not require a reason code.

AUTHORITY

Los Angeles County Code Section 6.09

RESPONSIBLE PARTY

LAC-DMH Human Resources Bureau