

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE

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should not be the norm, but may be authorized in extenuating circumstances by supervisors.

F. Regular Rate.

The regular rate of pay includes all remuneration for employment paid to an employee to include base pay, longevities, and shift differentials.

G. Hourly Rate Employees.

The hourly rate is the “regular rate” for hourly employees. This rate is calculated by dividing the annual salary by 2080 hours. Hourly employees shall be compensated for all hours worked. Employees compensated on hourly rate basis must be classified as nonexempt. The hourly rate is the “regular rate” for temporary employees as well.

H. Holidays.

An employee who is required to work on a legal holiday shall be given compensatory holiday leave credits in accordance with Section 19-708.04 of the State Human Resources Regulations; however, time worked on a legal holiday shall be used in computing total hours worked. Holiday compensatory time will be paid to the employee if, after 90 days following the holiday, the employee has not taken the holiday compensatory time. All nonexempt employees will be paid for unused holiday compensatory time upon separation of employment from State government, movement to a position in another State agency (exempt or nonexempt), or upon an employee starting in an exempt position in the current agency.

I. Overtime/Compensatory Time.

1. Overtime is all hours worked in excess of 40 in a seven (7) consecutive day work period. A nonexempt employee shall be paid no less than one and one-half (1 1/2) times his/her regular rate of pay for all hours worked over 40 in a workweek or granted compensatory time at a rate of one and one-half (1 1/2) hours for each hour of overtime worked. Nonexempt employees who have a scheduled workweek of 37.5 hours shall not receive additional compensation or compensatory time for hours worked between 37.5 and 40.0 hours per workweek.
2. The requirements that overtime pay must be paid or compensatory time granted to nonexempt employees after 40 hours of work in a workweek shall not be waived by agreement between the supervisor and the employee.
3. Nonexempt employees may accumulate up to 240 hours of compensatory time. For overtime worked for a nonexempt employee with an accumulation of 240

4. Law enforcement, fire protection or other seasonal activity employees may accumulate up to 480 hours of compensatory time. For overtime worked for an employee who has accumulated 480 hours of compensatory time, the employee must be paid.
5. Exempt employees may receive compensatory time off for hours worked, for time spent traveling, or for attendance at lectures, meetings, training programs, etc., in excess of the normal workweek (40 hours per week). Under no circumstances shall an exempt employee accumulate more compensatory time than the FLSA allows for a non-exempt employee (See Overtime/Compensatory Time section of policy above). If granted, the compensatory time must not be at a rate greater than one (1) hour of compensatory time for each hour worked in excess of 40.0 in the official workweek and may be at a lesser rate. Exempt employees must not be paid for overtime.
6. All requests for overtime/compensatory time must be submitted in writing and approved, in advance, by the appropriate Vice President or his/her designee. All compensatory hours must be recorded on the payroll timesheets and submitted to payroll for payment.

be subject to "call back." Non-exempt employees shall be compensated for hours worked as a result of a "Call back" at their regular hourly rate, such time shall be counted in computing any overtime that may be due. In the event it becomes necessary for an employee to be called back for emergency services and the services rendered requires less than three and half (3.5) hours on the job, or in the event no work is available when he reports, a minimum of three and half (3.5) hours work time shall be credited. An employee shall not be credited with nor paid for call time if:

1. The recall to work (call back) has been cancelled and the employee received notice not to report to work or
2. The employee refuses alternate work that is offered upon reporting to work.

M. Meal Periods.

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The normal meal period at The Citadel is one (1) hour which occurs during the scheduled workday and is not hours worked if the employee is completely relieved

3. When a nonexempt employee by reason of official responsibilities is required to attend lectures, meetings, training programs, etc., such time shall be considered work time.
4. Time off for holidays, paid leave, and compensatory time are not counted as hours worked when calculating overtime.

P. Impact of Status Change.

1. If a nonexempt employee accepts a position that is considered exempt either within the employee's own agency or with a separate state agency, compensatory time must be paid prior to the employee starting in the exempt position.
2. If a nonexempt employee separates from employment or moves to another state agency, any accrued compensatory time must be paid out prior to the separation

