Purpose: To establish a consistent district-wide process for the accrual, monitoring, and timely use of compensatory time by nonexempt employees in accordance with Board Policy DEAB and applicable law.

Applicability: This regulation applies to all nonexempt District employees.

Use of Compensatory Time: In accordance with DEAB, nonexempt employees must use earned compensatory time within the pay period in which it was earned. The District has determined that use of compensatory time within the pay period in which it is earned is in the best interest of the District An employee shall be informed before the overtime is worked wither the overtime hours will accrue compensatory time rather than overtime pay, and the designation shall be documented on the District's Compensatory Time Request Form.

Unused Compensatory Time and Payment: Compensatory time may not accrue beyond the maximum established by DEAB (LOCAL), and overtime worked by an employee whose balance has reached the maximum shall be paid as overtime compensation. Overtime worked without prior approval, or for which a Compensatory Time Request Form is not timely submitted or approved, shall be compensated as required by the FLSA and shall not be forfeited. Any unused compensatory time shall be paid upon separation from employment as required by the FLSA.

No "Use It or Lose It" Provision: Compensatory time is not subject to a "use it or lose it" process. The District shall not forfeit or eliminate an employee's lawfully accrued compensatory time solely because the employee was unable to exhaust the balance within a particular timeframe; any balance not used within the pay period shall be paid as provided in this regulation.

Campus and Department Leaders shall work proactively with employees to schedule and exhaust accrued compensatory time within the pay period in which it was earned, while considering the employee's responsibilities. An employee's request to use compensatory time within the pay period shall be granted unless the use would unduly disrupt the operations of the District, in which case the Campus or Department Leader shall work with the employee to schedule the time on another date within the pay period.

When an employee has accrued compensatory time approaching the District's established maximum, the Campus or Department Leader shall work with the employee to establish reasonable opportunities for the employee to use the accrued time.

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The District may direct the use of compensatory time when appropriate and in the best interest of the District, consistent with Board Policy DEAB and applicable law.

Employee Responsibilities:

Employees shall:

- Monitor their compensatory-time balance
- Obtain supervisor approval before working overtime and confirm, before the work is performed, whether the overtime will accrue compensatory time or be paid;
- Request use of compensatory time through the District's Compensatory Time Request Form and
- Use accrued compensatory time within the pay period in which the compensatory time was earned;
- Cooperate with reasonable scheduling of compensatory time when directed by the District; and
- Accurately report all hours worked and compensatory time used.

Campus and Department Leader Responsibilities:

Campus and Department Leaders shall:

- Monitor employee compensatory-time balances'
- Approve overtime in advance and inform the employee, before the work is performed, whether the overtime will accrue compensatory time or be paid;
- Work with employees to ensure compensatory time is used within the pay period in which it was earned;
- Provide reasonable opportunities for employees to use accrued compensatory time;
- Grant an employee's request to use compensatory time within the pay period unless the use would unduly disrupt the operations of the District, and in that event schedule the time on another date within the pay period.

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Documentation: Compensatory time earned shall be documented on the District's Compensatory Time Request Form and approved by the Campus or Department Leader and the Superintendent or designee/ All compensatory time earned and used shall be accurately recorded in the District's designated payroll/timekeeping system. Campus and Department Leaders are responsible for ensuring that compensatory-time records are accurate and current.

Any direction by the District for an employee to use compensatory time shall be documented through the District's established timekeeping or leave procedures.

Compliance: This regulation shall be administered in accordance with Board Policy DEAB, the Fair Labor Standards Act (FLSA), and other applicable federal and state laws.

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