

Tentative Agreement

09/11/17

B U 2

BU 5

BU 7

BU 9

R 9/12/17

CSUEU
[Signature] 10/19/2017
Rep. J. J. [Signature] 10/19/17

ARTICLE 19

OVERTIME

Overtime Compensation

- 19.1 Overtime is defined as authorized time worked in excess of forty (40) hours in a workweek of seven (7) consecutive twenty-four (24) hour periods.

For employees assigned to a five (5) day per week schedule of forty (40) hours or less or a 4/10 work schedule, the work week shall begin at 12:01 a.m. on Sunday and end at 12:00 midnight the following Saturday. For employees assigned to a 9/80 or a 3/12 work schedule, the work week shall begin at the midpoint of an employee's scheduled eight (8) hour day and end at the same time seven (7) consecutive twenty-four (24) hour periods later.

- 19.2 For the purposes of administering a 3/12 work schedule, overtime shall be defined as time worked in excess of eighty (80) hours within a fourteen (14) day schedule. The schedule period shall begin at 12:01 a.m. on Sunday and shall end at 12:00 midnight on the second succeeding Saturday.

- 19.3 Overtime shall be compensated in cash or in compensatory time off (CTO) as determined by the President and shall be paid only as provided in Appendix C of this Agreement, consistent with the provisions of the Fair Labor Standards Act (FLSA). The salary stipend (provisions 20.26-20.28) shall be included in base wages for determining compensation for overtime earned during the stipend period. Employees eligible to receive overtime shall be compensated at the rate of one and one-half times their hourly straight time rate.

- 19.4 Overtime shall be authorized and assigned by the appropriate administrator.

- 19.5 If, as the result of an overtime assignment, a non-exempt employee will not have an eight (8) hour rest period from the end of an overtime assignment until the beginning of the next regularly scheduled work shift, the employee may request to report to work at the completion of the eight (8) hour rest period. Prior to the assignment it shall be arranged between the employee and the appropriate administrator whether the employee may:

- a. Take the time off at the beginning of the next work shift; or

✓

- b. Take the time off at the end of the shift; or
- c. Work the entire shift; or
- d. Change his/her start time for that day until eight (8) hours after the completion of the overtime assignment and then working the number of hours the employee is normally scheduled to work.

If the employee takes the time off at the beginning or end of the shift pursuant to 19.5 (a) or (b) above, the employee has the option of using any accrued leave credits for the hours missed or taking off the hours missed as noncompensable time off the clock and, therefore, reducing the number of hours worked pursuant to provision 19.1.

19.6 Paid holiday, paid sick leave, and paid vacation time shall be counted as time worked for purposes of this Article.

19.7 The only official methods for the computation and accumulation of overtime are those provided in this Article. All hours worked, including overtime, are to be reported monthly on the appropriate payroll forms.

The appropriate administrator shall endeavor to equalize the overtime work among all qualified employees in the appropriate classification who have expressed interest in overtime work. Advance notice of overtime opportunities shall be provided to all qualified employees whenever possible. An employee shall be required to work overtime if no qualified volunteer is available.

19.8 All employees shall be classified as either exempt or non-exempt for purposes of compliance with the FLSA requirements for payment of overtime or compensatory time off (CTO).

Compensatory Time Off (CTO)

19.9 Requests for scheduling CTO shall be submitted to the appropriate administrator at least seven (7) days in advance. CTO shall be scheduled and taken only as authorized by the appropriate administrator.

19.10 When possible, the scheduling of earned CTO shall be by mutual agreement of the employee and the appropriate administrator. Upon reasonable notice to the employee, the appropriate administrator may direct the employee to take earned CTO.

19.11 CTO should be taken within the year it is earned whenever possible. If an employee has been unable to take his/her CTO and has a CTO balance in excess of one hundred twenty (120) hours as of December 31, he/she shall be paid in cash for all hours in excess of one hundred twenty (120). Such payment shall be made by February 1 of each year.



19.12 Upon request of the employee, the appropriate administrator shall provide an accounting of the employee's CTO balance.

19.13 When an employee is separated from service, he/she is entitled to a lump-sum payment for any earned CTO by reason of previous overtime worked.

19.14 Overtime eligibility and overtime rates shall be by classification. Such eligibility and overtime rates by classification are listed in Appendix C and incorporated by reference.

Extended Work Hour Meal Allowance

19.15 When an employee is required to work two (2) or more hours before or after a regularly scheduled workday, he/she may claim the cost of each meal up to the maximum of fifteen (15) dollars. All claims for extended work hour meal reimbursements must be supported by a receipt and shall be submitted within thirty (30) calendar days. The time taken to consume the meal will not be included in the computation of extended work hours for the purpose of this allowance.

An employee shall not be required to interrupt his/her work to consume his/her extended work hour meal. Extended work hour meals may be taken before, after or during the extended work hour period. This provision shall not apply to employees receiving a per diem rate.

19.16 Overtime shall not include time spent in travel to and from the work site except as provided for in Article 22, Professional Development.

Call-Back

19.17 Call-back work is work performed at a time outside of and not continuous with an employee's regular work schedule. ~~An~~ A non-exempt employee called back to work shall receive no less than three (3) hours pay at the overtime rate unless such call-back is within three (3) hours of the beginning of the employee's next shift, in which case the employee shall only be paid for the hours remaining before the beginning of the employee's next shift.

19.18 An employee may be called back to work at the discretion of the appropriate administrator. The appropriate administrator shall endeavor to assign call-back work on a volunteer basis. If no volunteers are available, or in an emergency situation, the employee who is called back shall be required to work.

19.19 When it is necessary for exempt employees to be called back to work, ~~managers~~ the Appropriate Administrator ~~may~~ shall authorize informal adjustments in their work hours.



On-Call Time

- 19.20 On-call time is time outside of an employee's regular work schedule but during which an employee must be available to report to work if deemed necessary by the appropriate administrator. On-call time is not compensable. If an on-call employee is contacted by an appropriate administrator for the purpose of performing work, then Provisions 19.17 - 19.19 shall apply.
- 19.21 When the CSU determines that an employee shall be placed on call, the employee may use his/her on-call time for his/her own purposes, subject to the employee being reachable by ~~beeper/pager or~~ leaving a telephone ~~and/or~~ text number where he/she can be contacted while on call. If contacted by the appropriate administrator, the employee shall report to work within a reasonable period of time. **On call assignments shall not be unreasonably assigned.**

48