



COOK COUNTY BUREAU OF HUMAN RESOURCES POLICIES

POLICY TITLE: OVERTIME POLICY

PAGE: 1 of 2

Effective Date: 08/01/2013

Policy Number: N/A
Associated Personnel Rule: N/A

Policy Form:
Overtime Request Form

PURPOSE: To provide guidelines for compensating eligible employees of Cook County who are required to perform overtime work.

AREAS AFFECTED: This policy applies to all Cook County employees not exempt from the provisions of the Fair Labor Standard Act (FLSA). To the extent that any provision in this policy conflicts with a specific provision in a collective bargaining agreement, the collective bargaining agreement shall prevail.

POLICY AND PROCEDURES:

Overtime Eligible Employees (i.e., employees who are not exempt from the FLSA and who must be paid overtime for all hours worked beyond forty hours in a workweek, in accordance with applicable federal and state wage and hour laws) will be classified as such by the Bureau of Human Resources consistent with federal and state law.

The Using Department shall provide compensation (i.e., cash) or other compensable time for overtime worked by Overtime Eligible Employees when there is prior approval by the Department Head or Supervisor. Overtime Eligible Employees will be credited with hours worked on the date the work was performed in excess of ordinary hours of work, i.e., forty (40) hour work week, unless otherwise addressed in a collective bargaining agreement.

The workweek is the period beginning at 12:01 a.m. Sunday and ending 12:00 midnight the following Saturday night.

Overtime Eligible Employees shall not perform any work for the County before or after their scheduled shift, unless they receive prior approval from their supervisor. Any Overtime Eligible employee who performs work for the County before or after his or her scheduled shift without prior approval from a supervisor may be subject to appropriate disciplinary action, up to and including discharge.

Employees are not to record time for other employees.

An employee who deliberately fails to, or instructs others not to, record and/or make payment of compensable time during a pay period will be subject to disciplinary action, up to and including discharge. Additionally, any employee who falsifies payroll records may be subject to appropriate disciplinary action, up to and including discharge.

Requirements

Overtime Eligible Employees are required to have approval by their Supervisor before overtime is worked using the attached Overtime Request Form. The Overtime Request Form must be executed in order to be eligible for overtime. Overtime Eligible Employees with overtime entries on time records that do not have prior approval may be subject to disciplinary action.

Overtime is defined as those hours worked by Overtime Eligible Employees in excess of forty (40) hours per week. For all hours of work in excess of forty (40) hours per week, and consistent with the FLSA and state law, Overtime Eligible Employees may be compensated for overtime hours worked in the form of compensatory time as described below. The following rules shall apply to compensatory time:

- Compensatory time will accrue at a rate of 1 and ½ hours for every hour worked in a week over forty (40) hours. An Overtime Eligible Employee may "bank" up to 240 hours of compensatory time. All overtime hours worked above this limit must be compensated with overtime pay at the rate of 1 and ½ hours for every hour worked in a week over forty hours after banking 240 hours of compensatory time.
- Overtime Eligible Employees must provide their supervisor with a written request to use compensatory time. The supervisor will approve or deny the use of the requested compensatory time in writing. Employees may not take compensatory time without the prior written approval of their supervisor.
- The County will allow Overtime Eligible Employees to take accrued compensatory time off within a reasonable period after an employee request, when such time off does not unduly disrupt the operations of the County. Normally, the County will permit the employee to take accrued compensatory time within 12 months of a request by the employee to use the time. If the County is unable to schedule and grant the employee's request to take compensatory time within 12 months of the employee request, the County will provide the employee the cash value of the requested compensatory time in lieu of the compensatory time off. When an employee's accrued



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compensatory time hours approaches the maximum number of 240 hours, the employee's supervisor will advise the employee of the 240-hour maximum and will request the employee to take steps to reduce the accrued compensatory time. If the employee does not use accrued compensatory time voluntarily, the supervisor may order the employee to use compensatory time at specified times.

- The County may pay out any accrued compensatory time at any time. The accrued, unused compensatory time will be paid at the regular rate earned by the employee at the time the employee receives such payment.
- An Overtime Eligible Employee terminating employment with the County shall be paid for unused compensatory time in accordance with the FLSA. The accrued, unused compensatory time will be paid at either the employee's final regular rate of pay at the time of separation, or his average regular rate of pay from the County during the last three (3) years of employment, whichever is greater. Compensatory time may be used in time blocks of not less than one-half (1/2) hour after it is earned.

Pursuant to federal law, paid time off from work for meal periods, vacations, sick leave, personal days, holidays, etc., is not considered hours worked for overtime computation.

Documents Required for BHR

The Overtime Request Form must be submitted to and approved by the Supervisor prior to the employee performing overtime duties in order for the employee to be eligible for overtime.