

**VICE CHANCELLOR FOR BUSINESS AND ADMINISTRATIVE AFFAIRS**

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**MEMORANDUM**

*Effective July 22, 2019*

To: Garnette Listi, Assistant Vice Chancellor/Controller

From: Ronald Russo, Interim Vice Chancellor for Business and Administrative Affairs *RR*

Subject: Overtime Compensation for FLSA Non-Exempt Unclassified Employees *Effective 7/22/19*

In accordance with the College's Policy [BAA-L11, Overtime Compensation for FLSA Non-Exempt Unclassified Employees](#), the options for overtime compensation are administered according to FLSA regulations, as applicable, and based on budget availability.

*Effective July 22, 2019*, overtime compensation for Non-Exempt Unclassified Employees will be administered as follows:

- (1) **When a Non-Exempt Unclassified Employee has actually worked in excess of 40 hours in a regularly scheduled 7-day work period:**

Actual Hours Worked in Excess of 40 Hours	Form of Compensation
Employee has worked more than 40 hours in a work period. <i>(FLSA Overtime)</i>	Compensatory Leave earned at 1.5 rate

- (2) **When a Non-Exempt Unclassified Employee has NOT actually worked in excess of 40 hours due to paid leave taken or a holiday observed, or non-emergency office closure:**

Did the work occur on a holiday or during a non-emergency office closure?	Form of Compensation
Yes  <i>(Straight Overtime for up to 40 hours actually worked; Converts to FLSA Overtime for over 40 hours actually worked)</i>	Cash payment at regular hourly rate up to 40 hours actually worked; Cash payment at time and one-half (1.5) rate for over 40 hours actually worked
No <i>(Straight Overtime)</i>	Compensatory Leave earned at hour-for-hour rate

*(continued)*

**(3) When a Non-Exempt Unclassified Employee is performing work ON emergency duty during official closures due to weather conditions or natural disasters, a security risk to the public safety, or similar occurrences of an extraordinary nature:**

Did employee actually work in excess of 40 hours?	Form of Compensation
Yes, employee actually worked more than 40 hours. <i>(FLSA Overtime)</i>	Cash payment at time and one-half (1.5) rate
No, employee actually worked less than 40 hours. <i>(Straight Overtime)</i>	Cash payment at time and one-half (1.5) rate

**(4) Other Provisions for Non-Exempt Unclassified Employees**

Description	Form of Compensation
For emergency work performed during weekday evening/night or weekend hours <i>outside of the Non-Exempt Unclassified employee's regular 40-hour work schedule.</i>	Cash payment at time and one-half (1.5) rate
For externally-sponsored events on the College's facilities for which Non-Exempt Unclassified Facilities staff presence is paid for by an external organization/entity or funded through external funds.	Cash payment at time and one-half (1.5) rate.
For internally-sponsored events on the College's facilities for which Non-Exempt Unclassified Facilities staff presence is necessary during weekday evening/night or weekend hours <i>outside of the employee's regular 40-hour weekly work schedule.</i>	Cash payment at time and one-half (1.5) rate
For internally-sponsored registration and other events on or off the College's facilities <i>for which the Chancellor has deemed in writing that the presence of Non-Exempt Unclassified staff is necessary during weekday evening/night or weekend hours outside of the employee's regular 40-hour weekly work schedule.</i>	Cash payment at time and one-half (1.5) rate

In accordance with [Policy BAA-L11, Overtime Compensation for FLSA Non-Exempt Unclassified Employees](#), the College reserves the right to amend the above-mentioned forms of overtime compensation according to state and federal law, as applicable, and based on budget availability.

Copies: Carla Major, Assistant Vice Chancellor for Human Resources and Professional Development  
Inez Ball, Payroll Manager