

## POLICY & PROCEDURES MEMORANDUM

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| <b>TITLE:</b>          | <b>COMPENSATORY LEAVE FOR FLSA-EXEMPT UNCLASSIFIED NON-FACULTY EMPLOYEES</b>   |
| <b>EFFECTIVE DATE:</b> | <b>January 1, 2019*</b><br><i>(*LCTCS Policy Update 1/1/19;<br/>FLSA Compliance Update 8/1/16;<br/>Title Updates 8/31/11; Original 11/16/99)</i> |
| <b>CANCELLATION:</b>   | BA-2410.1B (7/1/99)  |
| <b>CATEGORY:</b>       | Human Resources (HR)<br><i>(Formerly issued as AD-2410.1C)</i>   |

### POLICY STATEMENT

In accordance with [LCTCS Policy 6.003, Leave for Unclassified Employees](#), compensatory leave may be granted to FLSA-exempt unclassified non-faculty employees\*\* on an hour-for-hour basis for hours actually worked in excess of the regularly assigned 40-hour work week, or when, due to holidays observed or official college closures, the employee is deemed to have worked in excess of 40 hours.

Any unclassified non-faculty employee who is not exempt from the Fair Labor Standards Act (FLSA) is compensated for overtime work in accordance with the College's [Overtime Compensation for FLSA Non-Exempt Unclassified Employees policy](#).

The accumulation and use of compensatory leave will have prior approval of the immediate supervisor/department head and the appropriate dean/executive dean/assistant vice chancellor/vice chancellor (or the Chancellor, if applicable) and will follow the guidelines and procedures as outlined in this memorandum.

*\*\*In accordance with LCTCS Policy 6.003, individuals employed with status of faculty, intermittent, seasonal, student, or temporary are ineligible to earn compensatory leave (Effective 1/1/19).*

### PROCEDURES & SPECIFIC INFORMATION

1. **Purpose**

To describe policy and procedures for the accumulation and use of compensatory leave for full-time, FLSA-exempt unclassified non-faculty employees\*\*.

## 2. **Scope and Applicability**

This policy and procedures memorandum applies to all full-time, *FLSA-exempt* unclassified non-faculty employees, and grant employees who are in comparable positions unless employment conditions are specified differently in the grant. The Chancellor, Vice Chancellors, Assistant Vice Chancellors, Executive Deans, Deans, Athletic Director, and Athletic Coaches are excluded from earning compensatory leave.

Any employee who is entitled to earn overtime leave under the Fair Labor Standards Act will earn compensatory leave in accordance with that act and the College's [Overtime Compensation for FLSA Non-Exempt Unclassified Employees policy](#).

## 3. **Guidelines**

Compensatory leave for *FLSA-exempt* unclassified non-faculty employees is defined as time credited for hours worked outside the regularly assigned work schedule. To earn and use compensatory leave, the following guidelines are to be followed:

- A. The employee may be required to work overtime on a holiday or at a time that he/she is not regularly required to be on duty. Compensatory leave may be granted for overtime hours worked outside the regularly assigned 40-hour work week, or when the employee has not worked in excess of 40 hours due to holidays observed or leave taken. The employee may be required to use his/her earned compensatory leave at any time.
- B. Not more than 320 hours can be earned during any fiscal year. Compensatory leave can be used for any purpose with the approval of the immediate supervisor/department head and the appropriate dean/executive dean/assistant vice chancellor/vice chancellor (or the Chancellor, if applicable).
- C. The employee may carry forward no more than 240 hours of accrued, unused compensatory leave into a new fiscal year. However, a grant employee may not carry forward accrued, unused compensatory leave into a new grant year. If a grant employee desires to use accumulated compensatory leave, he/she must do so before the expiration of his/her existing grant appointment.
- D. An employee will not be paid the value of his/her accrued compensatory leave upon separation from his/her unclassified position.
- E. In the event an employee transfers without a break in service to another position within the State service, compensatory leave may be credited to the employee at the discretion of the new appointing authority. Compensatory leave balance(s) will be forfeited when an employee separates from State service.

#### 4. **Procedures and Limitations**

For proper administration of this policy, the following procedures and limitations will apply to *FLSA-exempt* unclassified non-faculty employees:

- A. *In order to earn compensatory leave*, the employee is to complete an [Overtime/ Compensatory Leave Approval Form, Form 2400/005](#) (Attachment A), which is to be signed by the immediate supervisor/department head and the appropriate dean/executive dean/assistant vice chancellor/vice chancellor (or the Chancellor, if applicable). This form must be submitted to the Controller's Office in accordance with the biweekly payroll schedule during which the hours were earned.
- B. *In order to use compensatory leave*, the employee is to complete an official [Leave Request Form, Form 2400/001](#) (Attachment B), which is to be signed by the appropriate officials (as listed in Section 5A). This form is to be submitted to the appropriate supervisor for approval in accordance with the biweekly payroll schedule during which the hours were earned.
- C. While on official travel on a regular college workday, an employee can earn a maximum of five (5) hours of compensatory leave for hours worked after 4:30 p.m. (or the official workday in effect). During weekend official travel, an employee can earn a maximum of eight (8) hours per day.
- D. An employee will not earn compensatory leave while on "on call" unless specifically approved by the Chancellor of the College. In addition, work undertaken while at home does not constitute the granting of compensatory leave, unless there is specific written advance approval by the employee's appointing authority for appropriate purposes. Written justification for such leave, signed by the appointing authority shall be filed with the time record covering the period for which the leave is granted.
- E. When an employee has earned a total of 320 hours of compensatory leave during any fiscal year, further approval to earn more compensatory leave shall cease. Each immediate supervisor/department head is to take the necessary precautions to preclude approval to earn compensatory leave beyond the maximum allowed.
- G. An employee who is required to work on any designated college closing should indicate this on the subsequent bi-weekly time sheet.

#### 5. **Forms**

The following forms are designated for use in earning and using compensatory leave:

For earning compensatory leave - [Overtime/Compensatory Leave Approval Form, Form 2400/005](#) (Attachment A)

For using compensatory leave - [Leave Request Form \(Form 2400/001\)](#) (Attachment B)

6. **Cancellation**

This policy and procedures memorandum cancels Policy and Procedures Memorandum BA-2410.1B, *Compensatory Leave for Unclassified Professional Staff*, dated July 1, 1999.

*Policy Reference:*

Louisiana Community and Technical College System Policy #6.003, [LCTCS Policy 6.003, Leave for Unclassified Employees](#)  
[Delgado Policy BAA-L11 Overtime Compensation for FLSA Non-Exempt Unclassified Employees](#)

*Review Process:*

Executive Council 11/16/99  
Title Update Approval – Vice Chancellor for Business and Administrative Affairs 8/31/11  
FLSA Compliance Update Approval – Vice Chancellor for Business and Administrative Affairs and Assistant Vice Chancellor for Human Resources 8/1/16  
LCTCS Policy Update Effective 1/1/19

*Distribution:*

Distributed Electronically Via the College's Website

*Attachments:*

Attachment A - [Overtime/Compensatory Time Leave Approval Form \(Form 2400/005\)](#)

Attachment B - [Leave Request Form \(Form 2400/001\)](#)