



## University Policy 3203: Overtime

**Category:** Human Resources

**Subcategory:** Compensation

**Covered Individuals:** Non-exempt Employees

**Responsible Executive:** Executive Vice President & Chief Operating Officer

**Policy Custodian:** Office of Human Resources, Senior Associate Vice President of Human Resources

**Last Revised:** 2025/04/30

**Previous USU Policy Number:** 378

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### 3203.1 PURPOSE AND SCOPE

This Policy outlines requirements for the eligibility and payment of overtime and/or compensatory time, as applicable.

### 3203.2 POLICY

Utah State University (USU) complies with all federal and state requirements as it relates to the compensation for overtime and/or compensatory time.

#### 2.1 Overtime/Compensatory Time

Department heads and supervisors are expected to oversee and properly schedule department workloads, keeping overtime hours to a minimum. Except for certain emergency situations, all overtime must be approved in advance by the department head or supervisor.

Agreeing to work overtime when requested by a supervisor is a condition of employment. Refusal to work a reasonable amount of overtime, especially under emergency conditions, may result in disciplinary action. Likewise, employees who do not obtain prior approval to work overtime hours from a department head or supervisor may also be subject to disciplinary action.

#### 2.2 Pay Rate Accrual

The overtime pay rate for Non-exempt Employees who work more than 40 hours in a week is one and one-half times the regular rate. Exempt employees do not receive overtime pay. In lieu of overtime pay, Non-exempt Employees may receive compensatory time off at a rate of one and one-half times the number of hours worked in excess of 40 in a work week.

Only hours actually worked count toward the 40 hours-per-work-week test for overtime paid to Non-exempt Employees. Time away from work for which the employee is paid (e.g., Sick Leave, Vacation Leave, and Holidays) does not count toward the 40 hours-per-work-week test.

Overtime payments should be made within the pay period in which the overtime occurred. Compensatory time off should be used within the same pay period that it is accumulated; however, due to extenuating circumstances, supervisors may request that it be saved for use at a later date.

The maximum number of compensatory hours that can be saved before payment or time off must be given is 120 hours. Any exception to this requires review and approval by the department head, the Office of Human Resources, and appropriate University administrators.

### 2.3 Work Week

The University work week begins at 12:01 a.m. on Saturday and ends at midnight the following Friday. Saturday and Sunday, therefore, are at the beginning of the work week, and work on these days does not constitute overtime. Overtime would not occur until later in the week when 40 hours is exceeded.

### 2.4 Hours Worked

Time spent by an employee engaged in any part of the employee's essential duties and job requirements is considered as hours worked. This includes work that occurs outside regular working hours or during meal periods. Generally, it does not matter where this activity occurs; it is still counted as hours worked. Time spent in preparatory work, cleanup, or any other required preliminary and postliminary activity also counts as hours worked. In addition, time spent by an employee waiting because of interruptions beyond their control is counted. For information concerning call-back pay see USU Policy 3200: [Call-Back Pay](#).

### 2.5 Recording Hours Worked

Hours worked by all hourly, non-benefited employees and Non-exempt Employees in variable-hour positions must be recorded by the employee, approved by the department head or supervisor, and reported weekly using the University's electronic payment system. The Fair Labor Standards Act (FLSA) requires that complete and accurate time records be kept for all Non-exempt Employees, and that these records be kept for three (3) years. USU requires a time-keeping method that allows employees and supervisors to sign each time record. Each time record must be stored at the department/unit level.

### 2.6 Holidays

The University observes specific holidays each year. For work scheduled on a holiday, employees will report as directed. Benefited staff are eligible for paid holidays. If a Non-exempt Employee works 33-40 hours in a week that includes a holiday, that time is paid as straight time. However, if that employee works more than 40 hours in a week that includes a holiday, those hours are paid at one and one-half times the regular pay.

## 3203.3 RESPONSIBILITIES

### 3.1 Department Heads and Supervisors

Approve overtime in advance and make sure new employees understand whether their positions are non-exempt (eligible for overtime pay) or exempt (not eligible for overtime pay).

Communicate the conditions of employment related to overtime work when requested. Supervisors must approve the employee's hours worked within the pay period and specify if a payment is for overtime.

### 3.2 Employees

Accurately record work hours, cooperate with overtime work needs, and balance University and personal needs when establishing flexible work schedules.

## 3203.4 REFERENCES

- [The Fair Labor Standards Act of 1938](#), as amended
- [Title VII of the Civil Rights Act of 1964](#), as amended
- [The Equal Pay Act of 1963](#), as amended
- [Utah Payment of Wages Act, Utah Code Ann. § 34-28-10 et seq.](#)

- [Utah Admin. Code R477](#) *et seq.*

## 3203.5 RELATED USU POLICIES

- USU Policy 3200: [Call-Back Pay](#)

## 3203.6 DEFINITIONS

### 6.1 Exempt Employee

An employee who is exempt from overtime requirements under the FLSA and meets the specific job duties and salary requirements of the United States Department of Labor (DOL) regulations. The Office of Human Resources determines which positions are exempt from the FLSA in accordance with current DOL requirements.

### 6.2 Non-exempt Employee

An individual covered by the FLSA and must be compensated at one and one-half times the regular rate for hours exceeding 40 in a work week.

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**Information below is not included as part of the contents of the official policy.** It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the president.

## RESOURCES

### Related Forms and Tools

- [AggieTime](#)

### Contacts

- [Senior Associate Vice President of Human Resources](#)

## POLICY HISTORY

Original issue date: 1997/01/24

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