

OUTFITTERS & GUIDES LICENSING BOARD	POLICY NUMBER: 1001	PAGE NUMBER: 1 of 5
	SUBJECT: Overtime Policy	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

1.00.00 POLICY OF THE DEPARTMENT

It is the policy of the Outfitter and Guides Licensing Board that the Agency shall control the accumulation of overtime. No overtime shall be authorized unless it can be supported with a budget. When it becomes necessary to accumulate overtime, it shall be dissipated in accordance with the law.

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3.00.00 REFERENCES

Fair Labor Standards Act of 1938, as Amended.

Idaho Code Section 59-1607, 67-5302, 67-5326 through 5331.

Idaho Personnel Rules 3, 25, 26.

4.00.00 DEFINITIONS

Overtime work: Is time worked on holidays and time worked in excess of forty (40) hours in a period of 168 consecutive hours.

Hours worked: Are those hours actually spent in the performance of the employee's job excluding holidays, vacation or sick leave or other approved leaves of absence and excluding on-call time.

Earned Administrative Leave (EAL): Is (a) time worked over the employee's regular schedule but not compensated at time and one-half because an equal or greater number of hours were taken off as approved leave; OR, (b) EAL is accrued when a holiday falls on a regular day off.

EAL can be taken off like comp time. EAL taken in excess of actual accrual balance will be

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taken from accrued comp time balance.

EAL balances will be paid upon transfer to another agency or upon separation.

Traded time: Means those hours an employee agrees to substitute for another employee during scheduled hours of work, where both work in the same capacity, the agreement to substitute is solely at the employees' option, and the agreement is approved by the immediate supervisor.

5.00.00 PROCEDURE

5.01.00 UNCOVERED EMPLOYEES

Uncovered employees are totally exempt from cash compensation or compensatory time for overtime work and include:

Outfitter and Guides Licensing Board
Executive Director

5.02.00 EXEMPT EMPLOYEES

Employees who fall within the Fair Labor Standards Act definitions of executive, administrative or professional are ineligible for time and one-half and cash compensation for work in excess of a forty-hour workweek or 160-hour cycle. Cash payment may be authorized only by the State Board of Examiners for time accumulated during unusual or emergency situations.

Exempt employees shall be allowed to earn and accumulate overtime on an hour for hour basis and shall be allowed compensatory time off in order to exhaust the accumulated time.

Accumulated comp time shall not be transferable and shall be forfeited at the time of transfer to another State Agency or upon separation from state service. Comp time lost at time of transfer or separation is not reinstatable.

Exempt employees may accumulate and use earned administrative leave. EAL shall be paid at the time of transfer to another agency or upon separation.

5.03.00 COVERED EMPLOYEES

Employees who do not meet the definition of executive, administrative or professional are covered by the provisions of the Fair Labor Standards Act and are eligible for time and one-half cash compensation or compensatory time off for overtime worked.

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5.04.00 APPROVAL

All overtime shall be approved in writing in advance by the employee's immediate supervisor. The attached forms may be used. In an emergency or unusual situation, verbal approval may be given to the employee with the understanding that the approval will be documented in writing as soon as the supervisor returns to work.

Supervisors may modify an employee's regular schedule of work to avoid or minimize overtime.

5.05.00 WORKWEEK/WORK CYCLE

The workweek for all employees except security and law enforcement personnel will be 12:01 a.m. Sunday through 12:00 p.m. Saturday. The maximum number of allowable hours which may be worked before overtime must be paid for these employees is 40 hours.

Time worked in excess of 160 hours in a 28 consecutive day period shall constitute overtime for security personnel in correctional institutions and those other classes designated as law enforcement.

5.06.00 TIME OF PAYMENT

Overtime earned in any workweek for 40-hour covered employees shall be accrued at time and one-half and may be dissipated either in the form of comp time off or cash at the discretion of the appointing authority. All overtime shall be accumulated as comp time unless specifically requested and authorized for payment in cash. The maximum number of compensatory time hours that can be accumulated is 240 hours. Any hours accumulated beyond this limit must be paid in cash per federal law.

Time worked in excess of 160 hours in a 28-day period is compensable at time and one-half either in the form of comp time off or cash payment at the discretion of the appointing authority. All overtime for employees on the 160-hour cycle shall be accumulated as comp time unless specifically requested and authorized for cash payment. The maximum number of compensatory hours that can be accumulated is 480 hours for security and law enforcement staff. Any hours accumulated beyond this limit must be paid in cash per federal law.

Comp time shall be taken and used at the discretion and/or approval of management.

5.07.00 HOLIDAYS

Time worked on holidays shall be counted toward the workweek or work cycle. Should time worked on a holiday exceed the designated limits, the excess hours shall be considered overtime.

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Employees eligible for time and one-half for overtime and who work a holiday shall receive eight hours of regular pay (or the normal hours worked in the case of part-time employees) plus time and one-half for every hour they are required to work on the holiday. This extra time and one-half for every hour worked on a holiday may be paid either in cash or compensatory time off at the discretion of the appointing authority.

Employees eligible for hour for hour compensatory time off who are required to work on a holiday shall receive eight hours of regular pay (or the normal hours worked in the case of part-time employees) plus hour for hour comp time for every hour worked on a holiday.

5.08.00 OVERTIME WAIVER

There shall be no agreement made between an employee and supervisor to waive overtime compensation.

OVERTIME APPROVAL REQUEST

Program: _____

Date: _____

Employee's Name: _____

Pay Period: to _____

Date of Overtime: Number of Hours: _____

Reason for Request _____

Date Overtime to be burnt off: _____

