POLICY: Overtime usage is to be maintained at an absolute minimum, consistent with the functions and purposes of the agency and organizational unit.

PURPOSE: To ensure allocated funds are used in the most cost-effective manner to accomplish agencies' mission, goals and objectives; to promote appropriate position allocation, performance management, staffing, and prioritization of assignments; and to allow employees personal time away from work.

SCOPE: Division wide

REFERENCES:
NRS 281.100, NRS 284.148, NRS 284.180, NAC 284.242
NAC 284.250.

PROCEDURES:

I. Overtime

1. Only employees in classifications considered nonexempt by the state may be paid overtime. Exempt and nonexempt classes are identified in Department of Personnel's Classification and Compensation Plan.

2. Nonexempt employees who choose and are approved for a variable workday schedule are eligible for overtime only after working 40 hours in a work week. Employees who do not have an approved variable workday schedule are to be paid overtime after 8 hours in a workday.

3. The employer is to communicate the need for affected employees to work overtime at least 4 hours in advance, unless this in not possible due to unforeseen circumstances.

4. In 24/7 facilities, when overtime is necessary to meet minimum staffing ratios, overtime may be may be authorized and documented by the designated managers according to Department of Health and Human Services and agency guidelines.

5. The Division Administrator or designee may authorize overtime in the event of information technology emergencies or emergency facility inspections that can not wait to be addressed until the next business day.

6. Any overtime request that does not fall into sections 4 and 5 above must be approved by the Budget office and the Department of Health and Human Services using the prescribed forms. Employees requesting permission to work overtime must complete a Department of Health and Human Services, Request to Accrue

Overtime or Compensatory Time to submit to the Budget Office for approval. Once Budget office has approved, the form is submitted to Department of Health and Human Services.

7. Any overtime request that involves the accrual of compensatory time in the pay period in which furlough leave has been taken, requires approval by the Department of Personnel, the Department of Administration, Budget Office and The DHHS Director's office. This approval is documented on the form entitled, Request for Department of Personnel and Budget Division Exception to Furlough Implementation. (Compensatory time may only be accrued in the week in which furlough was not taken.)

8. The employee's timesheet must document overtime hours worked and the appropriate reason codes. A copy of the approved request documents must be attached to the NEATS timesheet.

II. Compensation for overtime

1. Overtime is paid at the rate of time and one-half of the employee's normal rate of pay.

2. If an employee's compensatory time balance reaches 60 hours, the supervisor should review work performance standards and assignments to determine the cause for excess hours.

3. Compensatory time hours in excess of 120 must be paid in cash unless there is a signed agreement providing for accrual of compensatory time not to exceed 240 hours (NAC 284.250, section 3).

4. At the close of fiscal year, liabilities including accrued compensatory time shall be paid when funds are available.

5. In no case will annual leave or furlough leave be approved in the same week in which compensatory time is accrued.

III. Compensatory time: Use

1. At the direction of the appointing authority, compensatory time should be used within a reasonable time of accrual.

2. Each employee, in conjunction with their supervisor, is responsible for ensuring that all compensatory time earned is to be exhausted prior to using accrued annual leave, unless the ending annual leave balance will reflect "use or lose" hours by the end of the calendar year.

IV. Each Division agency shall develop a method to track and report overtime hours and compensatory time accrual in order not to exceed limitations and funding.

V. Each agency shall formulate policies and procedures to implement the provisions in this policy or shall incorporate this policy into its policy and procedure manual.

Harold Cook

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ADMINISTRATOR

EFFECTIVE DATE: 11/1/97
REVIEWED/REVISED DATE: 11/1/99, 3/10/05, 8/20/07, 1/25/08, 11/19/10
SUPERSEDES: #5.014 Overtime
APPROVED BY MHDS ADMINISTRATOR: 11/19/10
APPROVED BY MHDS COMMISSION: 3/16/01, 11/19/10