

DPH - TA
AB 07/08/25

ARTICLE 32.5A,C,D,E,F,G,Y, Z--OVERTIME (Education including OSD, Library, Treasury, Department of Administrative Services, Commission for the Blind, PERS, HECC, DELC)

Section 1. Distribution of Overtime. Overtime work shall be distributed as equally as is feasible among qualified employees in the work unit who normally do the particular type of work needed. In the Department of Administrative Services, "work unit" for this purpose means the employees who, by position description, normally perform the particular type of work involved at the worksite that is involved. When such an assignment creates a burden for the employee, the Agency agrees to attempt to assign it to another qualified employee or to cancel the assignment. When such burden exists, the employee shall not be required to work unless their absence would cause the Agency to be unable to meet its responsibilities.

Section 2. Notice of Overtime. The Agency will give employees as much notice as practicable that overtime will be required.

Section 3. Payment for Overtime. Payment of overtime shall be included in the payroll paid the month following the pay period in which overtime is worked if the overtime is reported prior to the payroll cut-off dates, provided, however, that payment shall be made no later than thirty-one (31) days after overtime work is reported.

Section 4. Overtime Rest Periods. If an employee is assigned one (1) or more hours of overtime work contiguous to their regular workshift or is called back within one (1) hour of their scheduled quitting time, the Agency will provide a fifteen (15) minute rest period after two (2) hours of overtime completed.

Section 5. Compensatory time shall be scheduled, as much as possible, at the convenience of the employee, consistent with the operating requirements of the Agency. In the case of conflict between two (2) or more employees in the same work area, the employee who first requested this time shall be given preference. If the conflict again occurs between these employees, such conflict shall be resolved on a rotating basis. This time off shall be utilized within one (1) year of being earned or shall be paid in cash except as provided in [Article 32, Section 4](#).

Section 6. Election of Cash/Compensatory Time Off.

- **Library**—Under normal circumstances, compensation for authorized overtime will be compensatory time off. Cash payment for overtime must be authorized in advance in writing by the Division Administrator except as provided in [Article 32, Section 4](#).
- **Treasury**—Eligible employees shall receive cash for overtime worked, except as provided in [Article 32, Section 4](#), unless the employee elects to receive compensatory time off. If the employee wishes to receive compensatory time off in lieu of cash, the employee must request this method of compensation no later than the first regular workday following the date the overtime was worked.

- 37 • Commission for the Blind—Eligible employees, except as provided in [Article 32, Section](#)
38 [4](#), shall receive either cash or compensatory time off for working authorized
39 overtime. An employee shall make a request to the Agency no later than the first
40 workday following the date the overtime is worked for either cash or compensatory time
41 off. In instances of overtime assignment when monies budgeted to Personal Services are
42 exhausted, overtime compensation shall be paid by compensatory time off. The
43 employee requested to work such overtime shall be advised that payment will be
44 compensatory time off at the time of the request. Employees who decline overtime for
45 reason of non-cash payment shall not have such time counted for purposes of
46 equalization.
- 47 • PERS—Eligible employees, except as provided in [Article 32, Section 4](#), shall receive
48 compensatory time off for overtime worked unless the employee elects to receive cash,
49 subject to budgetary limitation and workload requirements. If the employee wishes to
50 receive cash in lieu of compensatory time off, the employee must request this method of
51 compensation prior to accepting assignment of the overtime. **The Agency shall notify**
52 **each employees by March 30 of each calendar year to review of their accrued**
53 **compensatory time off balances. Compensatory time off above one hundred**
54 **twenty (120) hours not taken by close of business on June 30, including that earned**
55 **in June, may be paid out in cash. Compensatory time shall be utilized within the**
56 **fiscal year earned or shall be cashed out by the end of the fiscal year. Time earned**
57 **in the last ninety (90) days may, at the discretion of management and on a pre-**
58 **approved basis, be carried forward into the next fiscal year.**
- 59 • Education including OSD—Except as provided in [Article 32, Section 4](#), eligible
60 employees shall have the option of cash payment or compensatory time off for overtime
61 worked. **Compensation for overtime shall be in the form of cash or compensatory**
62 **time off at the discretion of the eligible employee except as provided for in Article**
63 **32, Section 4. In the event budgetary or staffing limitations exist, in fact, and the**
64 **Agency so notifies the employee in writing of that fact, with a copy to the Sublocal**
65 **President and Secretary, the Agency may designate the form of overtime**
66 **compensation.**
- 67 • Department of Administrative Services—Except as provided in [Article 32, Section 4](#),
68 eligible employees shall be compensated in cash for overtime worked. An employee may
69 request to accrue compensatory time off for overtime worked in lieu of cash. Such
70 requests must be in writing and filed with the employee's immediate supervisor no later
71 than the first regular workday following the date the overtime was worked. The
72 supervisor shall promptly approve or deny such requests based on the availability of
73 funds and operating needs of the organization. Requests for compensatory time for
74 overtime which are in conflict with the provision of the Fair Labor Standards Act shall
75 not be granted.
- 76 • HECC—Except as provided in [Article 32, Section 4](#), eligible employees shall have the
77 option of cash payment or compensatory time off for overtime worked.

- 78 • DELC -- Compensation for overtime shall be in the form of cash or compensatory
79 time off at the discretion of the eligible employee except as provided for in Article
80 32, Section 4. In the event budgetary or staffing limitations exist, in fact, and the
81 Agency so notifies the employee in writing of that fact, with a copy to the Sublocal
82 President and Secretary, the Agency may designate the form of overtime
83 compensation.
- 84 • Section 7. OSD Only. The Employer will pay one-half (½) hour overtime to Dorm
85 Counselors who are unable to take their rest breaks. Further, should scheduling of LPNs
86 and/or Child Care Workers result in their being unable to take breaks in the future, those
87 employees will also be paid one-half (½) hour overtime.
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