

All You Ever Wanted to Know About Comp time, Overtime, Flex-time, and "Thanksgiving Wednesday"

As we journey into this wonderful season of falling leaves, turkey and dressing, frost on the pumpkin, and family and friends, as well as Back-to-School nights and school conferences, I thought I should take a few moments to remind all of you about the language in our contract that governs your attendance at after-work events, and the "ins and outs" of overtime, whether paid or comped.

We've received a number of questions regarding the calculation and use of overtime/comp time, particularly during Back-to-School nights and conferences. Many of you will receive permission from your supervisor to take all, or part of, Wednesday, November 23, 2011 off for the "Thanksgiving Wednesday."

In order to calculate compensation for that Wednesday, use the information below, taking into account the number of hours you work each week, and whether you will be working ONE evening event, or TWO or more. (Keep in mind--the number of hours you are at work each day includes a thirty minute UNPAID lunch period, that does NOT need to be counted in hours worked or comped.)

Eight Hour Employees:

~ If you are an eight (8) hour per day employee, any hours you work beyond eight, in one day, must be compensated at time and a half. So, if you are comping out ALL of Wednesday, you will need to work for a total of only 5 hours and 20 minutes (beyond eight hours) to earn the eight hours needed to take Wednesday off. ($5:20 \times 1.5 = 8$) This could be worked over two conference evenings---say, at 2 hours and 40 minutes per evening, at the end of your regular eight hour shift each day.

~ However, and this is a big HOWEVER, if you go home at the end of your eight hour shift, and are asked to RETURN to your worksite for conferences later that evening, say 7:00 to 9:00 pm, you must be compensated for a FULL THREE hour shift (by contract), even if you are not required to work for three hours. So...you would earn more than enough compensatory time if you worked two "return to work" evenings. The three hours of comp time is worth 4.5 hours. (See **For all employees:** below)

~ An eight hour employee wanting to comp out only $\frac{1}{2}$ of "Thanksgiving Wednesday" needs to work only two hours and forty minutes beyond eight hours, if staying at work, to work off the four hours needed for a $\frac{1}{2}$ day.

Seven Hour Employees:

Now to complicate matters even more, let's look at the seven hour employee...

~Because your standard workday is one hour less than the eight hours required to earn compensatory time, your first hour of overtime is NOT comped at time and a half---just straight time. So, in order to comp out your full seven hour day on "Thanksgiving Wednesday," you will need to work for one regular hour, then an additional four hours. ($1 + (4 \times 1.5) = 7$), or, if spread over two days, one regular-comped hour each day, then 1 hour and 40 minutes each day at time and a half, for a total of 2 hours 40 minutes beyond your seven hour day.. ($2 + (1:40 \times 1.5) = 7\text{hrs.}$)

~ If you are a seven hour employee, and you're taking only $\frac{1}{2}$ of Wednesday off (3.5 hours), you only need to comp one straight time hour, then 1 hour and 40 minutes. ($1 \times (1:40 \times 1.5) = 3.5\text{ hrs.}$)

Seven and a Half Hour Employees:

~For those few 7.5 hour employees, you will need to work .5 at straight time, and an additional 4 hours and 40 minutes to comp out a seven and a half hour shift, or, if spread over TWO days, you'll need to work your first half hour each day at straight time, then an additional 2 hours, and 10 minutes at time and a half.

For all employees: Please remember the following provision in our contract (Article 16 - Overtime and Call Back, Section B2) referred to above, that states:

"An employee who is required to return to work for evening activities such as back to school programs, parent conferences, etc., shall receive a minimum of three (3) hours compensation for such time. This three (3)-hour minimum may be satisfied through early release of the employee from his/her regular work schedule."

In other words, if you are asked to participate in conferences, or other after-school events, outside of your normal workday, you must be compensated for a three full hours, even if you are not required to work that long.

Please remember that overtime pay, or comp time, at time and a half, does not begin until a full eight hours in one day, or forty hours in one week, has been worked. If you are a seven hour employee, you would work your first "extra" hour (to bring your day to eight hours) at REGULAR PAY, before the overtime rate of time and a half kicks in.

Keep in mind, this is the time of year that many of us want to use comp time for personal reasons. Our contract allows for the accumulation of comp time up to forty (40) hours. With the agreement of your supervisor, you may save this time, so that you can stay home, as I've been speaking of, on the Wednesday before Thanksgiving and stuff that bird!

Unless otherwise mutually agreed upon by the employee and employer, comp time must be used by the end of the month following the month accrued. If not used, the employer must pay the employee in lieu of comp time.

And, finally, unless otherwise mutually agreed upon by the employee and employer, an employer may not "force" the use of "**flex-time**" instead of comp time. If your supervisor tells you that the evenings you are working will count as "flex-time", please let me know IMMEDIATELY, so that she/he can be contacted.

One last word of caution.... When using your comp time, **DO NOT SUBMIT TIME DOCS TO PAYROLL INDICATING YOUR ABSENCE**. This is an "in-house" absence, not requiring any submission to payroll---only the completion of a short-leave form, which remains at your worksite.