



DETERMINING OVERTIME PAY ELIGIBILITY

Policy: POL-320-HR • Effective Date: July 1, 2025 • Res. # 089282

Cancels: Res. # 084020 • Reference: None

Unless otherwise covered by a bargaining unit agreement, this policy applies to all non-elected employees.

Definitions:

FLSA – Fair Labor Standards Act

Non-Exempt Employee – An individual working in an FLSA or Washington State non-exempt position.

Overtime – Work in excess of 40 hours in a workweek.

Compensatory Time – Time off with pay granted in lieu of pay for work performed on an authorized overtime basis.

Exempt Employee – an individual designated by the County as being employed in a bona fide executive, administrative or professional capacity, as defined by the Washington State Minimum Wage Act (WAMWA) and the FLSA, and who is therefore exempt from the overtime pay requirements of the FLSA and WAMWA.

1. Whitman County Will Compensate Non-exempt Employees for Overtime Worked

For each hour of overtime worked, non-exempt employees will receive pay at a rate of one and a half (1.5) times their regular rate of pay **OR** an hour and a half (1.5) of compensatory time for each hour of overtime worked. Pay for work beyond the scheduled workweek shall be at straight time until the employee has worked forty (40) hours in the workweek.

Payroll is audited by the calendar week Monday at 12:00 am to Sunday at 11:59 pm, rather than by the day. Employee work schedules are set at the department level, but auditing of hours are for 40 working hours in a week, regardless of the day they are worked.

Employees reaching 40 hours worked prior to the end of their work week may take the remainder of the week off if approved by the supervisor. Hours taken off after the 40 hours worked shall not be recorded on the time sheet. Nor shall accruals, holidays landing on a normal day off, compensatory time, etc. be used. Such forms of leave are only used prior to reaching 40 hours in a week.

Employees working on holidays recognized by the County may earn overtime in accordance with County Policy 525, regardless of reaching forty hours in the week.

Compounding/pyramiding of overtime hours is prohibited. Overtime hours shall not be paid for twice.

2. Whitman County Won't Compensate Exempt Employees for Overtime Worked

Exempt employees professionally manage and schedule their own work time to complete their duties. Exempt employees report actual hours worked but shouldn't report the use of accrued leave for less than a full workday. Hours they don't work in a day may be left blank.

Exempt employees shall not be eligible to accrue compensatory time nor shall they receive overtime pay for additional work. This includes hours worked under Policy 525.

Exempt positions shall be determined by Human Resources and the Department Head/Elected Official upon classification.

3. Holiday, Sick, Vacation, Additional Straight, Compensatory & Military Hours Count as Time Worked for Figuring Overtime

Holiday, sick, vacation, additional straight, compensatory time used, and military hours count as time worked for the purpose of calculating overtime up to 40 hours in a week. Leave hours covered by this provision shall not be taken after forty hours in a work week.

4. Compensatory Time Accrues to a Balance Maximum of 48 Hours

Both the employee and supervisor must agree to compensatory time before the work is performed. Hours worked beyond the 48-hour compensatory time maximum may continue to accrue until December 31st of any given year. At the end of the calendar year, the county pays out any balance above 48 hours. The County pays out any compensatory time balance upon termination or by approval of the department head.

Compensatory time earned in one pay period is eligible for use at the beginning of the following pay period.

A maximum of 48 hours compensatory time may be carried from year to year.

If an employee is required to delay his/her use of compensatory time due to the written direction of the department head/elected official, a request may be made to the Board of County Commissioners to carry hours above the 48-hour cap into the succeeding calendar year. The request must be approved and presented by the department head/elected official. It must indicate the specific number of hours to carry over, and an explanation pertaining to why the carryover is necessary. All carry over hours must be used prior to June 1st of the following year. If approved by the department head/elected official, the request must be submitted to the Commissioners' Clerk of the Board by December 31st of each year.

5. Supervisors Will Give Advance Notice of Required Overtime Work When Possible

Supervisors will give advance notice of required overtime work when possible.

6. Employees Must Obtain Supervisor Approval Prior to Working any Overtime

Employees who work unauthorized overtime may be subject to disciplinary action up to and including termination.