



Mike Braun
Governor

Lindsay M. Weaver, MD, FACEP
State Health Commissioner

Standard Operating Procedures: Comp Time and Overtime

PURPOSE

INSPD and SBA have detailed policies and procedures for both overtime-eligible and overtime-exempt employees: [SPD: Hours of Work and Overtime](#) and [SBA: FMC 2.3 Comp Time OVT-Exempt](#). This guide will focus only on the quick details and IDOH-specific procedures for these types of requests.

PROCEDURE

Supervisors should set priorities and ensure that employees are managing their time with good planning and effective work habits; however, when overtime work is necessary, supervisors must follow agency procedures to request and secure authorization for such additional work.

Overtime-Eligible Employees (*"Nonexempt" in the FLSA Status column next to your classification [here](#)*)

Overtime-eligible employees are covered by the overtime pay and minimum wage provisions of the [Fair Labor Standards Act](#) and/or applicable state rules and policies on premium overtime pay. They are also known as non-exempt employees.

These employees are required to be paid their regular hourly rate for all hours worked through 37.5 per week (straight time), their regular hourly rate for hours worked between 37.5 - 40 hours per week (straight overtime), and 1.5 times their hourly rate for hours worked over 40 per week (premium overtime). Compensation at the straight or premium rate applies to compensatory (comp) time as well as to payment. Both are automatically calculated based on PeopleSoft Time and Labor entries and approvals of total regular work hours each week. The default option is overtime payment, but the employee can request comp time instead.

To **promote**, **protect**, and **improve** the health and safety of all Hoosiers.

2 North Meridian Street • Indianapolis, Indiana 46204 • 317-233-1325 • health.in.gov

An equal opportunity employer.

The Indiana Department of Health is accredited by the Public Health Accreditation Board.



Overtime-eligible employees are prohibited from working additional hours without authorization and should notify supervisors in advance whenever they realize they may not be able to meet deadlines or complete assignments during assigned work hours. While overtime payment or comp time must be provided to the employee once it's worked, employees may be subject to discipline if they work more than 37.5 hours per week without prior approval from their division director or delegate.

Overtime-Exempt (*"Professional" in the FLSA Status column next to your classification [here](#)*)

Overtime-exempt employees are not covered by the overtime pay and minimum wage provisions. They are also known as overtime ineligible employees. The state has no legal obligation to pay overtime wages or provide compensatory time off to employees doing exempt work. Exempt positions carry responsibilities which may require more than the regularly scheduled number of hours per week to complete routine duties and should not expect extra compensation or comp time off for this type of work. However, if an agency's workload requires exempt employees to work substantially beyond their normal work schedule under circumstances which are unavoidable with good planning, agencies can request comp time. Similarly, but in emergency situations only, straight overtime (regular hourly rate for all hours worked) can be requested if the agency budget allows.

➤ Exempt Comp Time:

- This must be requested by the Senior Leader and approved by the Chief of Staff.
- Requests should include the reason for the need, the individuals who would be assigned the extra hours, the anticipated number of extra hours and when these extra hours would start and end.
- If approved, these details must be sent to the [HR Director](#) and [IDOH Payroll](#) for processing.

➤ Exempt Overtime Payment:

- This request must come from the Chief of Staff to the HR Director and the Chief Financial Officer. It must include the same information as detailed above.
- The HR Director must submit a formal request to the [Compensation and Classification Review](#) (CCR) committee.
- These requests usually take 1-2 weeks to receive a decision, should be rare, and are not guaranteed.