

**Financial Management Circular:** #2016-3

**Effective Date:** November 20, 2016

**General Subject:** Job Classifications Normally Eligible  
for Premium Overtime Compensation

**Authority:** IC 4-15-2.2  
31IAC 5-7  
Fair Labor Standards Act  
Title 29 Code of Federal Regulations

**Application:** This circular applies to employees in the  
PAT, COMOT, LTC, ESM, SAMPAT,  
SAMLTC, SAMCOMOT and POLE job  
categories

Employees in the following job categories or classifications are ELIGIBLE for premium overtime compensation, except as otherwise expressly provided herein:

- Professional-Administrative-Technological (PAT), skill levels 1 through 6
- Clerical-Office Machine Operators-Technician (COMOT), skill levels 1 through 6
- Labor-Trades-Crafts (LTC), skill levels 1 through 5
- Executive, Scientific and Medical (ESM), skill levels 6 and 7
- Supervisory and Managerial - SAMPAT, skill levels 2 through 8
- Supervisory and Managerial - SAMCOMOT, skill levels 1 through 8
- Supervisory and Managerial - SAMLTC, skill levels 1 through 7
- Protective Occupations, law enforcement (POLE), skill levels 1 through 4
- Nurse classifications - Charge Nurse 3, Charge Nurse Supervisor 5, Dialysis Nurse 3, Nurse 4, Nurse Supervisor 5 and Nurse Supervisor 6

Employees in the following PAT 3 level classifications will continue to remain EXEMPT from premium overtime compensation.

Application Developer Int 1BA3  
Clinical Nurse Specialist 1QL3  
Data Warehousing Prog 1BE3  
Occupational Therapist 3 2FH3  
Physical Therapist 3 2FF3

Audiologist 3 2FK3  
Construction Engineer 3 1DZ3  
Highway Engineer 3 1DC3  
Pharmacist 1LA3  
Speech Pathologist 3 2FG3

Employees in the following PAT 2 level classifications will continue to remain EXEMPT from premium overtime compensation.

Application Developer Sr. 1BA2

App System Analyst/Prog Int 1BC2

Chief Pharmacist 1LA2  
Database Analyst Int 1BF2  
Field Examiner 2 2RE2  
Health Physicist 1TE2  
Hydraulic Engineer 2 1DD2  
Network Engineer Int 1BK2  
Operations Analyst 2 1CE2  
Revenue Tax Auditor 2 2RV2

Communications Analyst 1BU2  
Data Warehousing Analyst 1BE2  
Financial Examiner 2 2RD2  
Highway Engineer 2 1DC2  
Information Security Analyst 2 1BH2  
Nurse Practitioner 1QC2  
Quality Assurance Analyst 2 1BL2  
Systems Administrator Int 1BM2

Employees in the following PAT 1 level classifications will continue to remain EXEMPT from premium overtime compensation.

Appeals Referee 1VD1  
Appl System Analyst/Prog Sr. 1BC1  
Business System Cnslt Sr. 1BD1  
Clinical Services Specialist 1 2AH1  
Database Analyst Sr. 1BF1  
Data Warehousing Administrator 1BE1  
Environmental Chemist 1 1IC1  
Field Examiner 1 2RE1  
Geologist 1 1IE1  
Highway Engineer 1 1DC1  
Information Security Analyst Sr. 1BH1  
LAN Administrator Sr. 1BJ1  
Operations Analyst 1 1CE1  
Project Manager 1DU1  
School Psychologist 1 2AB1  
Supv Insurance Examiner 2RN1  
Unclassified 1 2ZB1

Appl System Analyst/Prog Spec 1BB1  
Attorney 1 1VA1  
Chemist 1 1IB1  
Communications Analyst Sr. 1BU1  
Data Architect 1BQ1  
Director of Nursing Svcs. 1QC1  
Environmental Engineer 1 1DO1  
Financial Examiner 1 2RD1  
Health Physicist 1 1TE1  
Hydraulic Engineer 1 1DD1  
IT Project Manager Assoc 1BR1  
Network Engineer Sr. 1BK1  
Production Control Manager 1BO1  
Revenue Tax Auditor 1 2RV1  
Sr. Quality Assurance Analyst 1BL1  
Systems Administrator Senior 1BM1  
Youth Services Administrator 1 2DH1

Employees in the following SAMPAT 5 level classifications will continue to remain EXEMPT from premium overtime compensation.

Law Enforcement Spec Supv 5 7HA5  
Public Health Nurse Surveyor Supv 6TC5

Medical Surveyor Supervisor 6TB5

Employees in the following SAMPAT 4 level classifications will continue to remain EXEMPT from premium overtime compensation.

Chief Milk Production Supv 4 6NN4  
Environmental Manager Supv 4 6LS4  
Highway Engineer Supervisor 4 6DC4  
Telecomm Tech Supv 4 7YF4

Claims Adjudicator Supv 4 7WP4  
Financial Examiner Supervisor 4 7RD4  
Microbiologist Supervisor 4 6LB4

Employees in the following SAMPAT 3 level classifications will continue to remain EXEMPT from premium overtime compensation.

Accountant Supervisor 3 7RA3  
Environmental Chemist Supv 3 6IC3  
Field Examiner Supervisor 3 7RE3  
Geologist Supervisor 3 6IE3  
Librarian Supervisor 3 7KA3  
Sr. Environmental Mgr Supv 3 6LS3

Claims Adjudicator Supervisor 3 7WP3  
Field Auditor Supervisor 3 7RC3  
Financial Examiner Supervisor 3 7RD3  
Highway Engineer Supervisor 3 6DC3  
Revenue Tax Auditor Supervisor 3 7RV3

Employees in the following ESM 6 level classifications will continue to remain EXEMPT from premium overtime compensation.

Attorney E6  
Controller E6 EIH6  
Division Director E6 EUK6  
Industry Operations Manager E6 ETP6  
Psychologist E6 EIH6  
Veterinarian E6 EFH6

Asst Supt Corrections E6 EK16  
County Welfare Director E6 EIA6  
Epidemiologist E6 EFR6  
Lab Division Director E6 EDA6  
Sub District Operations Mgr E6 EWQ6

Employees in the following ESM 7 level classifications will continue to remain EXEMPT from premium overtime compensation.

Attorney E7  
Controller E7 ERB7  
Employee Benefits Prog Mgr E7 EBM7  
HR Business Consultant E7 EHE7  
Psychologist E7 EIH7

Budget Analyst E7 ERI7  
County Welfare Director E7 EIA7  
Grant Coordinator E7 ETC7  
Mental Health Administrator E7 EJG7  
Veterinarian E7 EFH7

**Premium Overtime Information specific to Law Enforcement Classifications**

Employees in the following POLE classifications are to be treated as ELIGIBLE for premium overtime compensation.

Arson Investigator 5SA0

Special Attendant Supervisor 5MB0  
Special Attendant 5MAT  
Special Attendant Trainee 5MAT

Correctional Officer 5LA2  
Correctional Sergeant 5LB0

Correctional Lieutenant 5LC0

Airfield Security Officer 5CD0

Airfield Security Sergeant 5CE0

Airfield Security Chief 5CF0

The following provisions apply uniquely to specified law enforcement and fire protection personnel:

The provisions of 31 IAC 5-7-8 are being elected for Gaming Enforcement Agent 5FH0, Gaming Enforcement Investigator 5FF0, Gaming Enforcement Supervisor 5FB0, Gaming Control Officer 5FJ0, Gaming Control Supervisor 5FK0, Special Agent 5NA0, Field Agent 5NC0, and Special Agent Coordinator 5NB0. The same overtime policies and leave accrual practices apply to these classifications as apply to overtime eligible law enforcement officers employed as State Police, Conservation Officers and Excise Police. Gaming Enforcement Agent 5FH0, Gaming Enforcement Investigator 5FF0, Gaming Enforcement Supervisor 5FB0, Gaming Control Officer 5FJ0, Gaming Control Supervisor 5FK0, Special Agent 5NA0, Field Agent 5NC0, and Special Agent Coordinator 5NB0 will have a normal work period of 170 hours per 28-day cycle. Additional straight time pay will accrue for compensable time in excess of the 170th hour and premium compensation (time and a half) will accrue for hours worked in excess of 171, in a twenty-eight day period. Gaming Enforcement Agent 5FH0, Gaming Enforcement Investigator 5FF0, Gaming Enforcement Supervisor 5FB0, Special Agent 5NA0, Field Agent 5NC0, Special Agent Coordinator 5NB0, Conservation Officers and Excise Police will accrue leave at a rate of 8.5 hours, as is done for similarly situated employees under 31 IAC 5-8-2(i), 31 IAC 5-8-3(e) and 31 IAC 5-8-4(g).

The provisions of 31 IAC 5-7-8 are not being elected for Gaming Financial/Background Investigator 5FA0 and Gaming Administrator 5FG0. Scheduling, overtime policies and leave accrual practices for Gaming Financial/Background Investigator 5FA0 and Gaming Administrator 5FG0 are the same as those applicable to overtime eligible employees that are not law enforcement officers. Additional straight time pay will accrue for compensable time in excess of 37.5 hours per week and premium compensation (time and a half) will accrue for hours worked in excess of 40 hours per week. Gaming Financial/Background Investigator 5FA0 and Gaming Administrator 5FG0 will accrue leave at a rate of 7.5 hours, as is done for similarly situated employees under 31 IAC 5-8-2 a) & (c) , 31 IAC 5-8-3(b) and 31 IAC 5-8-4(b) & (c).

The regular work schedule for the Airfield Firefighter job family is 106 hours in the biweekly pay period. Employees classified as Airfield Firefighter 5CA0, Airfield Firefighter Trainer 5CB0, Airfield Firefighter Shift Leader 5CC0, and Airfield Firefighter Chief 5CG0 shall be eligible for overtime compensation in accordance with the provisions of 29 USC 207(K) and 29 CFR Part 553 subpart C. Pursuant to 29 CFR 553.230, a work period of 14 days is adopted for the maximum hour standard contained therein. Overtime shall accrue for each hour worked or engaged to wait in excess of 106 hours in each 14 day work period. Airfield Firefighters may accrue a balance of no more than 480 hours of compensatory time off. The State Personnel Department standardized policy and procedure on Hours of Work & Overtime is inapplicable to Airfield Firefighter classifications.

In recognition of the fact that Airfield Firefighters have a unique schedule, the references to the number of hours in the rules governing accrued vacation, sick and personal leave shall be converted for Airfield Firefighters:

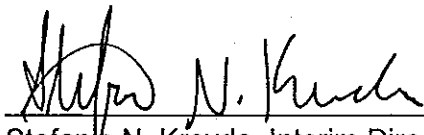
<u>Hours Stated in 31 IAC 5-8</u>	<u>Hours Converted for Airfield Firefighters</u>
3.75	5.25
7.50	10.50
22.50	31.75
37.50	53.00
60.00	84.75
97.50	137.75
225.00	318.00

If an employee transfers out of the Airfield Firefighter job family, the employee's leave balances will be adjusted proportionately to reflect the change in the number of hours of the standard schedule.

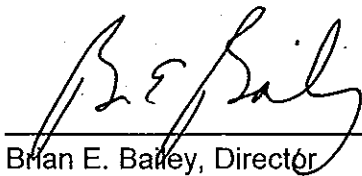
Airfield Firefighters may be entitled to up to 112.5 hours of military leave with pay annually, as that equals the amount of paid military leave available to all state employees under IC 10-16-7-5, and 31 IAC 5-8-6(d), notwithstanding any other interpretation of "days" in the statute, rules, or State Personnel policy and procedures.

The effect of authorizing employees in the specified job categories or classifications to receive premium overtime compensation is to treat them as if they were subject to the Fair Labor Standards Act. To the extent there exist any conflicts between this Financial Management Circular and 29 USC 207, issues will be viewed as matters of federal preemption such that conflicts will be resolved consistent with the relevant provisions of the Fair Labor Standards Act and Title 29 of the Code of Federal Regulations.

This FMC rescinds #2016-1.



Stefanie N. Krevda, Interim Director  
State Personnel Department



Brian E. Bailey, Director  
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