



HUMAN RESOURCES

Division: ADMINISTRATION
Chapter: HUMAN RESOURCES
Policy: HR 3.1 - APPROVED LEAVE
Issue Date: JANUARY 1, 2013
Revised:

POLICY

It is the policy of the Department of Public Safety to administer a leave (e.g., vacation, sick) benefit program consistent with State laws, policies, and procedures.

Approved Leave Category

The Approved Leave category includes certain types of leave benefits. When an employee uses approved leave, it is applied in a specific order. The types of leave included and the order are:

- Holiday Compensatory Time
- Overtime Compensatory Time
- Gap Compensatory Time
- On-Call Compensatory Time
- Travel Compensatory Time
- Vacation Leave
- Bonus Leave

When an absence is designated as Approved Leave (A/A 9000), each of the above quotas is checked in succession until the absence is fully covered. For example, if an employee has any holiday compensatory leave, it will be applied before overtime compensatory leave, etc. Approved leave is subject to leave offsetting. This order shall be followed and cannot be changed during time entry, whether via employee self service or a time administrator.

Definitions of the Types of Leave Quotas in the Approved Leave Hierarchy

- A. **Holiday Compensatory Time:** Time earned when the employee works on the designated holiday or if the employee does not record and approve the holiday leave within the sixty (60) day period (30 days before and after the holiday). At that time, the system automatically moves the Holiday Leave to Holiday Comp Leave.

Note: When hours of Time Worked (9500) are reported on a holiday that falls on a scheduled workday, the number of hours of Holiday Leave (9300) reported that day should be reduced by an equal amount, up to 8 hours. Time Worked reported on a

holiday results in an equal number of hours of Holiday Leave, up to 8, being moved from the Holiday Leave quota to the Holiday Comp Time quota. Refer to the Holiday Leave Policy and the Holiday Premium Pay Policy for additional information.

- B. **Overtime Compensatory Time:** Hours worked beyond the employee's regular work schedule not used as time off within the overtime period nor offset within the overtime period and therefore, carried forward to the next work cycle. This leave type does not apply to employees following the 28 day work period if the employee is set for immediate payout for overtime compensation.
- C. **Employees Subject to Overtime:** Overtime Compensatory Time will be generated and will only be carried forward for up to 365 calendar days from the date the additional hours were worked. At the end of the designated period, if not applied to an absence, the employee will be compensated for the additional hours on the next available pay day. These hours are calculated at time and one-half. These hours are not the same as the Gap hours that are calculated on a straight time basis.
- D. **Employees Not Subject to Overtime (exempt to FLSA):** Overtime Compensatory Time will always be accumulated on a straight time basis and may be carried forward for twelve (12) months from the date the additional hours were worked. The system will automatically age out the employee's Overtime Compensatory Time.

Note: The timeliness of data entry may affect the payment for overtime. For example, if an employee set for immediate payout exceeds his/her standard prior to the end of the 28 day overtime period, the overtime hours may be pulled by the system and paid out at the next available pay day if the payroll deadline falls after the date of data entry but before the end of the 28 day cycle. If the employee later uses leave within that 28 day overtime period that would have been offset by the additional hours, the system will then take back the overtime on the following pay day. As a result, it is extremely important for managers/supervisors in consultation with the human resource staff and time administrators to review the 28 day overtime period calendar and the payroll calendar and delay time entry to avoid such situations or to at least forewarn the affected employee.

- E. **Gap Hours:** Gap hours are those hours that are caught in the gap between the maximum hours of work required to meet the work schedule standard and the overtime threshold. Gap hours only apply to employees subject to overtime. Gap hours are subject to leave offsetting and will also be applied to advanced leave liabilities and adverse weather leave prior to being paid out. Employees shall receive straight time pay for the remaining gap hours worked. Gap hours are not merged with any other compensatory time and will set for immediate payout in the current or next available pay cycle or 365 day payout, depending on the position.

Note: It is the agency's decision to monetarily compensate employees for gap hours or to provide the gap hours as time off. The decision to pay cash versus compensatory time is not an employee decision, but rather the agency's decision.

- F. On-Call Compensatory Time: Hours spent in on-call status are carried forward as on-call compensatory time based on the OSP calculation of the number of hours on-call or compensate employees for on-call hours monetarily at the next available pay cycle.
- G. Travel Compensatory Time: Hours spent in travel status outside the employee's regular work schedule and not an extension of the employee's workday.