

Nassau County Board of Commissioners EMPLOYEE POLICIES & PROCEDURES MANUAL		
Effective: 11/01/2013	Revised: 03/01/2020	Page 1 of 2
Section 8: Non-Union Salary Plan		8.07 Overtime and Compensatory Time

In accordance with the Fair Labor Standards Act (FLSA), all County classifications covered by FLSA are designated as either “exempt” or “non-exempt”. Before being hired and/or appointed, all employees should be notified as to whether their classification is designated as such. The minimum wage and overtime provisions of the FLSA only apply to classifications designated as non-exempt.

Overtime is defined as the hours of actual work required to be performed by a non-exempt employee in excess of forty (40) hours during the established workweek (Reference Section, 14.01 Hours of Work). Overtime should be avoided whenever possible and should not be authorized if the work can be accomplished during normal working hours without undue hardship.

Overtime will be compensated as follows:

Non-exempt employees are prohibited from working overtime without prior authorization from his/her Supervisor or Department Head.

Non-exempt employees are prohibited from taking work home to be completed without prior authorization from his/her Supervisor or Department Head.

Overtime shall be paid to non-exempt employees for hours worked over forty (40) during the established workweek. For computation purposes, Holiday pay, administrative leave, annual military training leave and leave while on the active payroll due to an on-the-job injury shall be considered hours worked under this policy.

Overtime shall be paid at a rate of one and one half (1½) of the employee’s regular rate of pay.

Exempt employees are not eligible to earn overtime.

In accordance with the FLSA, the County does allow non-exempt employees to accrue compensatory time off in lieu of monetary overtime compensation as follows:

Compensatory time may only be authorized pursuant to an understanding between the employee and the Supervisor or Department Head prior to the actual performance of work.

Compensatory time shall accrue at a rate of one and one half (1½) hours for each hour of work performed over forty (40) hours during the established workweek.

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Employees may accrue up to a maximum of one hundred (100) hours of compensatory time.

Employees are required to exhaust any accrued compensatory time prior to the use of Annual Leave, PTO, Bonus Leave or Personal Holidays.

Upon termination, voluntary or involuntary, employees who have accrued compensatory time under this policy will be paid out for any unused accrued compensatory time at their current hourly rate of pay.

It is the responsibility of the authorizing Department Head to ensure that compensatory time is properly logged and tracked through ExecuTime, in compliance with the FLSA.