



## AP 7131 Overtime

### References:

29 U.S. Code Section 207;  
29 Code of Federal Regulations Parts 516.2(5), 516.3, 553.25, 553.27,  
785.48 subdivision (b);  
*Mortensen v. County of Sacramento* (9th Cir. 2004) 368 F.3d 1082  
*Beck v. City of Cleveland* (6th Cir. 2004) 390 F. 3d 912;  
*Christensen v. Harris County* (2000) 529 U.S. 576, 120 S.Ct. 1655;  
ORS 653.268  
OAR 839-020-0030

The work week begins at 12:00 a.m. on Sunday and ends at 11:59 p.m. on Saturday.

Overtime is all hours an overtime-eligible employee actually works over 40 hours in a designated work week. Only actual hours worked will be counted toward the 40-hour threshold for purposes of calculating Fair Labor Standards Act (FLSA) overtime pay; paid leave will not be counted. Overtime-eligible employees who are directed to work overtime must do so.

Overtime-eligible employees are not permitted to work overtime except as directed and authorized by their supervisor, or in case of emergency, as determined by Treasure Valley Community College. Working overtime without prior authorization or approval is grounds for discipline or dismissal. In emergency situations that necessitate working overtime, the employee must notify a supervisor as soon as possible, and in no event later than the end of that day upon which the emergency occurred. If the supervisor denies the request to work overtime, the employee must obey the supervisor's directive and cease working. Failure to follow these overtime approval procedures may subject the employee to disciplinary action, up to and including termination, for violating the overtime approval procedures.

All time spent for the benefit of Treasure Valley Community College must be reported as hours worked including all work performed remotely on time records so that the employee is paid for all work. Overtime-eligible employees may not "volunteer" work time to perform duties that are the same or similar as their stated or regular job duties. Employees have no authorization to work without compensation. No supervisor has authority to request overtime-eligible employees to volunteer work time.



# Treasure Valley

## COMMUNITY COLLEGE

An overtime-eligible employee is paid by accruing compensatory time off (CTO), unless the supervisor approves pay for overtime worked. The supervisor must ensure that sufficient funds are available.

- **Accrual Rate:** CTO accrues at the rate of 1.5 hours for each hour, or fraction thereof, worked after 40 hours of actual work within the employee's designated work week.
- **Employee Request to Use CTO:** Treasure Valley Community College will grant an employee's request to use accumulated CTO provided that:
  - the department can accommodate the use of CTO on the day requested without undue disruption to department operations; and
  - the employee makes the request to the supervisor prior to the date requested.
  - CTO is required to be used before other paid leave.
- Treasure Valley Community College reserves the right to pay accumulated CTO at any time.
- **Value of CTO:** During employment, CTO is paid at the employee's current FLSA regular rate of pay (including all FLSA-applicable salary differentials and special pays). Employees separating from Treasure Valley Community College service shall be compensated for all accrued, unused compensatory hours at their current regular rate of pay.
- Any unused CTO will be paid out on June 30<sup>th</sup> of each year.

**Approved: April 21, 2026**