Work Hours for Exempt staff Who Are Not Eligible for Overtime
HR-06-60

About This Policy

Last Updated:
12-09-2021

Responsible University Administrator:
Vice President for Human Resources

Policy Contact:
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Scope

This policy applies to Exempt staff who are not eligible for overtime under the Fair Labor Standards Act.

Policy Statement

Work hours

1. The standard full-time work schedule consists of five eight-hour days and 40 hours each workweek. Units may allow alternative work schedules that support operational needs.

2. Work performed in addition to the regular work hours is customary with exempt responsibilities.

3. Exempt staff may also be required to be available at specific times and to change their schedules to accommodate variations in work demands.

4. Exempt staff who are not eligible for overtime under the Fair Labor Standards Act do not receive pay or additional time-off for working beyond the regular workday or 40-hour workweek.

5. Periods of absence that are less than one day should not be taken without pay, except as provided under the Family Medical Leave Act (FMLA).

Extra hours worked for sustained periods

1. The university has no legal obligation to pay overtime wages or provide additional time-off to staff who are not eligible for overtime under the Fair Labor Standards Act. However, units may authorize additional time-off for such employees to use after they have worked extra hours for sustained periods because of extraordinary or seasonal workloads. Such additional time-off is granted on a day-for-day worked basis and should not exceed ten additional time-off days during a calendar year. Also, employees should not receive additional time-off days year after year.

Usage of additional time-off

1. Employees are expected to use the additional time-off within a reasonable period. Employees should avoid an excessive accumulation of time that they cannot take during the year.

2. Employees who transfer to another unit or separate from the university must use the additional time-off before leaving a unit or forfeit it.

3. Employees do not receive payment in exchange for unused, additional time-off.

Procedure

Guidelines for granting additional time-off
1. To be eligible for additional time-off, an employee must receive prior approval from the supervisor. The supervisor must determine if the work assignment meets all of the criteria listed below to approve.
   a. The assignment consists of a specified task.
   b. The assignment requires the employee to work additional hours for sustained periods.
   c. The assignment is part of an extraordinary or seasonal workload, rather than the occasional extra work necessary to perform routine duties.

2. Before granting permission to work additional hours or giving extra time-off, supervisors must first evaluate the employee’s productivity during regular work hours. An employee who does not use standard work time efficiently will not be granted permission to work extra hours or receive additional time-off.

**Unit responsibilities**

1. Units are responsible for maintaining internal records of authorized additional time-off.
2. Unit heads must ensure that supervisors authorize and employees use the additional time-off consistent with this policy.

**Sanctions**

Violations of university policies will be addressed under applicable university policies and procedures, including disciplinary actions up to and including termination from the university.

**History**

**December 2021**
IU HR completed a full and substantive review to assess the ongoing need and effectiveness.

**February 2021**
Updated the staff employee group terms due to Job Framework Redesign Project.

**Related Information**

- Paid Time Off (PTO) for Exempt staff and Non-Exempt Non-Union PAO and PAU staff - HR-05-70
- Alternative Work Schedules - HR-06-10
- Remote Work for Staff and Temporary Employees - HR-06-80