



Martin Luther King, Jr.
OUTPATIENT CENTER

POLICY AND PROCEDURE

DIVISION: ADMINISTRATION	NUMBER: 04-044
SUBJECT: OVERTIME	
SECTION: HUMAN RESOURCES	PAGE: 1 OF: 3
REVIEWED BY: HR ADMINISTRATOR AND PROCEDURE & POLICY COMMITTEE	EFFECTIVE DATE: 01/01/05
TO BE PERFORMED BY: ALL WORKFORCE MEMBERS	REVIEWED DATE: 04/11/06 REVISED DATE: 04/01/17

PURPOSE

To establish accountability and a standardized policy and guidelines for overtime usage.

POLICY

Overtime is time worked, requested or authorized by management, in excess of the number of hours regularly worked in the workweek. Departmental Managers and /or supervisors may require employees to work overtime in accordance with County Code., Federal Labor Standards Act (FLSA) and Memorandum of Understanding (MOU) provisions. However, overtime shall be kept to a minimum and used when it is the only alternative to meet workload demands. Overtime must be requested and authorized, in writing, and verified when completed at the end of the overtime. Overtime opportunities are to be distributed equally among employees.

PROCEDURE

Authorization of Overtime

The Director of Health Services and/or Chief Operating Officer authorizes managers or their designees to approve overtime within their approved overtime budget allocation.

The Director of Health Services or his/her designee must approve additional overtime budget allocations.

Blanket Authorizations

When there is a need for use of overtime on a continuing basis and where it has been determined by the manager authorized to approve overtime that there is no other operational alternative to overtime, blanket authorizations may be requested for a specific number of hours, a specific time period, and/or a specific dollar amount.

When employees/positions are required to work more than 96 hours of overtime a month on a regular basis and are to be paid for such overtime, facilities should require blanket authorizations, Paid overtime that exceeds 96 hours per month for employees/positions requires written authorization by the appropriate manager, the Director of Health Service, and the Board of Supervisors.

All overtime requests shall be in writing and must include **all** of the following:

1. A description of the tasks to be performed.
2. The number of hours to be worked.
3. The reason(s) why the work cannot be completed during regular work hours, and
4. Verification signature of manager/supervisor that overtime was performed or completed.

Only in cases of emergency may managers assign overtime without appropriate prior approval. Emergencies shall be defined as unforeseeable workload requirements directly related to patient care of the health and welfare of the citizens of Los Angeles. Chief Executive Officer approval of emergency overtime shall be obtained as soon as possible after the overtime is worked.

Managers and supervisors shall not enter into informal agreements with employees allowing unrecorded compensatory time.

ESTABLISHMENT OF WORKWEEK

Executive Staff shall ensure that appropriate workweeks are established, including annual vacations and usage of overtime accruals for all work units, and that this information is communicated to DHS Human Resources for tracking purposes.

TIMEKEEPING PROCEDURES

DHS Personnel Practice #315, "Time Reporting," as amended effective January 1, 1992, incorporates FLSA requirements and shall be applied in all instances.

MONITORING

1. Supervisor Review

Each supervisor shall monitor overtime usage and ensure that only pre-authorized overtime is worked. Each supervisor is also responsible for ensuring that overtime appearing on employees' timecards has been appropriately authorized.

Overtime should be kept at minimum. A recurring need for overtime must be reviewed. Alternative measures for mitigating the need for overtime (e.g., redistribution of workload, work schedule adjustments) should be investigated.

2. Semi-annual Review – Overtime Authorizations

DHS HR shall review overtime authorization during semi-annual payroll payoff audits. DHS HR shall notify the appropriate manager and/or supervisor of any deficiencies noted in the review and provide recommendations for correction. DHS HR will follow-up with the appropriate manager or supervisor to ensure recommended actions were implemented.

3. Finance will review all overtime quarterly for budgetary purposes.

MAINTENANCE OF OVERTIME APPROVAL RECORDS

Overtime approval records should be maintained for a minimum of five (5) years. This includes overtime paid through grant funds. Overtime records shall be accessible for review by payroll payoff auditors and other, as authorized.

METHOD OF COMPENSATION

1. Represented Employees

- a. FLSA- covered employees who are in bargaining units shall be compensated in accordance with FLSA and Memoranda of Understanding (MOU) provisions.
- b. FLSA-covered employees changing to FLSA exempt, must be paid for all unused compensatory time off remaining on the books that occurred while the employee was on a FLSA-covered position.

2. Non-Represented Covered Employees

Non-represented covered employees who work overtime shall be compensated in accordance with FLSA provisions and County Code Pay Practices. Employees are also permitted to enter into an agreement, at management's discretion, prior to the work being performed to:

- a. Accumulate compensatory time off, in lieu of pay, at a rate of one and one-half hours for each hour of overtime worked to a maximum of 144 hours of overtime worked, or 240 hours of compensatory time off, this includes all FLSA compensatory time off earned, including any time earned before, or after the period between 10/01/93 and 06/30/94.
- b. Non-represented, Non-salaried employees are compensated in accordance with FLSA provisions and

County Code Pay Practices.

3. Physicians Subject to the Physician Pay Plan Provisions

Wherever overtime (i.e., work in excess of a 40 hours workweek) is required, it must be approved by the Director and Chief Medical Officer.

Physicians shall be:

- a. Compensated on straight hourly rates, on an hour by hour basis, or
- b. May accumulate compensatory time off in lieu of pay, to a maximum of 240 hours at any one time in a calendar year. One hundred forty-four (144) hours of such compensatory time off may be deferred to the next calendar year during which any time not used with proper authorization shall be lost.

4. FLSA Exempt Employees

FLSA exempt employees will be paid on a salaried basis to work a usual and customary workweek to indeterminate length and will continue to be assigned to specific work schedules as determined by management, if approved:

- a. Overtime shall be accumulated at the straight time rate only if the employee works three (3) or more hours of continuous overtime on any work shift. No overtime credit is received for less than three hours of overtime worked. Overtime must be used on an eight-hour basis and cannot be used on an hour-to-hour basis unless it is used to cover an absence for Family Leave.
- b. A maximum of twenty (20) full shift increments (20 days) may be recorded on the books at any one time.
- c. There shall be no paid overtime for FLSA exempt employees.
- d. With prior management approval. FLSA exempt employees may use overtime previously earned in lieu of other time when taking a full shift off.
- e. FLSA exempt salaried employees shall not be paid for any compensatory time remaining to the employee's credit upon leaving County service.

Note: Compensatory time related to disaster activities only, may be paid at termination if specifically approved by the Chief Executive Officer.

AUTHORITY

Fair Labor Standards Act (FLSA)
Applicable Memorandum of Understanding (MOU)
Los Angeles County Code

REFERENCES

Personnel Practices No, 307, "Overtime Policy," February 1, 1995
Memo, Jenssen, David, E., "Overtime Compensation for Non-Represented Employees," 12/22/04
DHS Policy No. 753, "Overtime"

NOTED AND APPROVED:

Cynthia M. Oliver, Chief Executive Officer

Date

Ellen Rothman, M.D., Chief Medical Director

Date

Lessie Barber, RN, Nursing Director

Date

Signature(s) on File.