

**11—53.11(8A) Overtime.**

**53.11(1) Administration.** Job classes shall be designated by the director as overtime eligible or overtime exempt.

**53.11(2) Eligible job classes.** An employee in a job class designated as overtime eligible shall be paid at a premium rate (one and one-half hours) in accordance with the federal Fair Labor Standards Act.

**53.11(3) Exempt job classes.** An employee in an overtime exempt job class shall not be paid for hours worked or in pay status over 40 hours in a workweek.

**53.11(4) Method of payment.** Payment of overtime for employees shall be in cash or compensatory time. The decision shall rest with the employee, except that the appointing authority may require overtime to be paid in cash. Employees may elect compensatory time for call back, standby, holiday hours and for working on a holiday.

**53.11(5) Compensatory time.** An overtime eligible employee may accrue up to 80 hours of compensatory time before it must be paid off. Compensatory time may be paid off at any time, but it shall be paid off if the employee separates, transfers to a different agency, or moves to a class with a different overtime eligibility designation.

**53.11(6) Holiday hours.** Holiday hours that have already been paid at a premium rate shall not be counted in calculating overtime.

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