

MONMOUTH COUNTY EMPLOYEE GUIDE

SECTION 3: TIMEKEEPING & PAYROLL

OVERTIME POLICY

PURPOSE

The County of Monmouth (“County”) provides many critical services to the public that it serves. Occasionally, the County cannot meet its operating requirements during regularly scheduled work hours. When necessary, employees may be scheduled to work overtime hours to address those requirements. The County has a fiduciary responsibility to ensure that all overtime costs are justified, accounted for, and meted out fairly and when applicable, pursuant to contractual or other legal obligations.

SCOPE

This policy applies to all full-time employees who are designated as “Non-Exempt” as that term is defined by the federal Fair Labor Standards Act (“FLSA”). When mandated by the FLSA, Non-Exempt employees will receive overtime pay for work time of more than 40 hours within the County’s established workweek while performing services for the County. Employees may also be contractually entitled to overtime pay when established in a written, approved collective negotiations agreement or other written, approved employment agreement, under the terms and conditions contained in that agreement.

POLICY

No overtime can be worked without advance written approval and authorization of the supervisor and/or Department/Division Head. Whenever possible, as much advance warning as practicable should be given to employees when a mandatory overtime assignment becomes necessary due to emergent reasons.

If an employee does not work scheduled overtime or works overtime without first receiving supervisor and/or Department approval, that employee may be subject to progressive disciplinary action. The County endeavors to distribute overtime assignments fairly among all employees who are qualified to perform the required work.

As previously cited, Non-Exempt employees receive overtime pay for any hours worked over 40 hours in the established workweek in accordance with the FLSA. Overtime pay is based on actual hours worked. Time off for paid or unpaid sick leave, for unscheduled unpaid leaves of absence and while an employee is suspended from employment are NOT counted as hours worked when calculating overtime pay. However, the County considers previously scheduled paid vacation time and approved paid personal leave as time worked when calculating overtime.

As previously cited, this Policy may be modified as part of a written, approved collective negotiations agreement or other written, approved employment agreement, under the terms and conditions contained in that agreement. If there is any question regarding a potential conflict between this policy and such an agreement, the Director of Human Resources should be contacted for clarification.

PROCEDURE

When an employee is required to work overtime, the employee's supervisor will initiate an [Overtime Request Form](#) prior to any overtime being incurred. The Supervisor will provide:

1. Employee name(s), department, division, unit, and/or office location information
2. Date and time frame of work detail
3. Location of work to be performed
4. A description of the work to be performed
5. Anticipated number of hours to be worked
6. A justification summarizing why the work cannot be completed during normal work hours
7. Supervisor's name, signature and date approving overtime
8. Division head name, signature and date approving overtime
9. Department head name, signature and date approving overtime

When circumstances do not allow for Division and/or Department heads to physically sign the form, an e-mail authorizing the overtime must be sent to the supervisor, printed and attached to the Overtime Request Form. At the conclusion of the overtime detail / assignment, the supervisor will complete the "After-Action Brief" section of the form by filling in a description of what work was completed and the actual hours worked. The supervisor will sign and date the form, and forward to his or her Division Head for review and approval. If approved, the Division Head will forward the form to the Department Head for final approval.

All Overtime Request Forms will be filed at the Department Head level and subject to review by the County Administrator or designee. All such forms shall be securely maintained for a period of at least three (3) years. The processing of paid overtime hours shall remain consistent with current payroll procedures. Department heads will conduct a monthly audit of the current month's overtime no later than the 10th day of the following month of all overtime incurred by their Department.

OVERTIME REQUEST FORM

Employee Name(s):

Department:

Division:

Unit/Office:

Date and time frame of work detail:

Location of work:

Description of work:

Anticipated number of overtime hours to be incurred:

Justification:

Supervisor: Name and Initials

Date

Division Head: Name and Initials

Date

Department Head: Name and Initials

Date

AFTER-ACTION BRIEF

Total Hours Worked:

What work/detail was completed:

Supervisor: Name and Initials

Date

Division Head: Name and Initials

Date

Department Head: Name and Initials

Date