

## **ARTICLE 8 OVERTIME**

### **A. Definition**

Overtime shall be defined as those hours which are worked by an employee in excess of forty (40) hours in one week. Holidays, vacation days, days on jury duty or witness leave, and days on compensatory time off shall be included as hours worked for the purpose of determining overtime pay.

### **B. Compensation for Overtime**

1. Hours worked in excess of forty hours worked in a work week shall be compensated at one and one (1 1/2) times an employee's regular rate of pay.
2. Overtime shall be compensated, at the option of the employee, by pay or by compensatory time off at the appropriate rate.
3. Compensatory time off shall be scheduled by the University and taken within the fiscal year it is earned. Employees may request use of compensatory time off. An employee who has requested use of compensatory time off shall be permitted use of such time within a reasonable period after making the request, based on the operational needs of the University.
4. Compensatory time off should be taken prior July 1 of each year. All compensatory time in excess of 40 hours will be paid off on the next regularly scheduled pay period following July 1 of each year.

Compensatory time off shall be paid at the employee's rate of pay at the time compensatory time is taken. In no event will an employee be allowed to accrue more than one hundred and twenty (120) hours of compensatory time. Each employee shall have a revolving bank of compensatory time not to exceed 120 hours. Should an employee's compensatory bank reach the maximum of 120 hours, the employee will be paid for all hours of premium overtime over 120 hours. Any hours over forty (40) hours remaining in the compensatory bank on July 1 of each year shall be paid.

5. When an employee is employed at more than one rate of pay, overtime earned at the time and one half rate may be calculated based on the employee's weighted average hourly rate or based on the rate in effect when the overtime is worked, at the option of the University.
6. Upon separation from employment, employees will be paid for all accrued compensatory time at their rate of pay at the time of separation, or at the employee's average rate of pay for the last three (3) years of employment, whichever is higher.
7. Employees located at the UCI Medical Center will be eligible for overtime pay only and cannot earn or accrue compensatory time off.

### **C. Overtime Scheduling**

As soon as practicable after the University decides upon the need for overtime or additional work, the University shall notify the employee(s) it selects that additional hours must be worked beyond his/her regularly assigned shift. An employee may be permitted to decline such assignments under special circumstances. However, wherever it is necessary to meet the operational requirements of the University, the University shall have the right to require the performance of such work, including requiring employees to remain at work after conclusion of their shift. If an employee is ordered to work additional hours beyond their assigned shift and if the employee has received less than twenty-four (24) hours' advance notice, the employee shall be paid at the rate of one and one half (1-1/2) times the regular hourly rate of pay for any such hours worked.

- D. Call-Back Time Call back refers only to those instances when an employee is called back to work without prior notice or in those instances when prior notice is given but the employee's work begins at least three (3) hours after completion of the employee's regular work schedule.

An employee who is called back, shall receive pay for four (4) hours or time actually worked, whichever is greater, at the appropriate rate.

An employee who is not scheduled to work during the winter holiday closure but is called back with less than five (5) working days' notice shall receive pay for four (4) hours or time and one half for hours actually worked, whichever is greater.

- E. On-call is time during which an employee is not required to be at the work location or at the employee's residence but is required to be available for return to work. On-call assignments shall first be made on a voluntary basis. A volunteer on-call list shall be established by job classification and work location. On-call assignments shall be made from the list in alphabetical order on a rotating basis. In the event that no one volunteers, the University shall assign on-call by job classification and work location on a rotational basis. An employee placed on-call shall be compensated, at the option of the employee, by two (2) hours of compensatory time off or pay for each day on-call.
- F. An employee who is called to work shall receive credit for a minimum of four (4) hours' pay at one and one-half (1-1/2) times the employee's regular hourly rate.
- G. Based upon the employees' ability to perform the work, the University shall attempt to evenly distribute overtime among employees. The University shall post a monthly and year-to-date record of overtime distribution in each shop or work location.
- H. There shall be no compounding/pyramiding of overtime payments.
- H. When an employee is required to work unscheduled overtime in excess of three (3) hours past his/her normal workday, s/he may be reimbursed up to seven dollars and fifty cents (\$7.50) for a meal when requested, unless a meal is provided. An employee who works scheduled overtime or who is called back to work is not eligible for a meal allowance.