



Name: Overtime Policy
Category: Administrative Policies
Subject: Compensation and Benefits
Owner: Vice President for Human Resources
Related Procedures: N/A
Related Forms: N/A

I. SCOPE

This policy applies to employees who work in excess of 40 hours in a single workweek or 80 hours in a single pay cycle.

II. POLICY STATEMENT

This policy is adopted to comply with the provisions of the One, Big, Beautiful Bill Act, signed into law on July 4, 2025, as Public Law 119-21, that exempt a portion of qualified overtime compensation from federal income taxation.

III. POLICY

Section 6.03 of the Personnel Policy Manual is hereby amended as set forth below. Deletions are noted by ~~strikethrough~~. Additions appear in **red**.

6.02 Overtime

1. Individuals in Fair Labor Standards Act (FLSA) Non-Exempt Salary Plan B Positions

The College will compensate individuals in FLSA Non-Exempt Salary Plan B positions as follows:

- a. Overtime is time worked in excess of 37.5 hours within a workweek. For purposes of computing overtime, a workweek is defined as a period of seven consecutive calendar days, commencing at 12:01 a.m. on Sunday.
- b. For employees working a standard 37.5 hour workweek, overtime must be computed on the basis of each workweek standing alone. Hours cannot be averaged over two or more workweeks. All **forms of** overtime must be authorized in advance, in writing by the immediate supervisor.

- c. Employees working flexible workplace arrangements shall be paid for overtime service in accordance with that schedule and not the standard schedule of 37.5 hours per week. Overtime shall be calculated on hours exceeding 75 80 hours per pay cycle.
- d. Except as otherwise provided herein, hours worked includes all paid leave plus hours actually worked by the employee.
- e. ~~All forms of overtime must be authorized in advance, in writing by the immediate supervisor.~~
- e. To establish a salaried employee's regular hourly rate, divide the annual rate by the work schedule hours in the fiscal year.
- f. An employee who has accumulated compensatory time may request to take such time off. Such a request will be granted within a reasonable amount of time as long as it does not unduly disrupt operations. Conversely, the College may request that an employee take compensatory time off within a reasonable period of time. All compensatory time must be used within 360 calendar days or it shall be forfeited. ~~(Amended by the Board of Trustees 6/17/19)~~
- g. Those employees who work overtime shall be compensated either with pay or, at the discretion of the College, compensatory time off. Whenever an employee's accumulated overtime exceeds 240 hours, such excess shall be compensated with pay.
- h. Compensation for all overtime above 40 hours per week will be at a time-and-one-half rate, unless the employee requested part-time work in another than his/her regular position classification and the part-time work was occasional or sporadic. In this case, the employee would receive the temporary, part-time hourly rate stated in Salary Plan C for the classification pay grade in which the part-time work was performed.
- i. Time-and-one-half overtime payment is calculated by using the employee's regular hourly rate in all cases except the following: (1) employees regularly employed in more than one position classification, or (2) those employed at the request of the College in more than one position classification and one of the positions is occasional or sporadic. In such cases, the overtime pay will be the greater of (1) the second position's temporary, part-time hourly rate or (2) one-and-one-half times the weighted average of the hourly rate of pay for both positions. Rates of pay for part-time positions shall be the hourly rate stated in Salary Plan C for the classification pay grade in which the part-time work is performed.
- j. All time worked and all time off are to be accurately reported on a time sheet for the regular position, and submitted to the employee's supervisor on a bi-weekly basis.

IV. EFFECTIVE DATE(S)

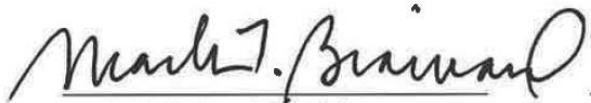
This policy is effective December 28, 2025.

V. FREQUENCY OF REVIEW AND UPDATE

This policy will be reviewed and updated annually.

VI. SIGNATURE AND DATE OF APPROVAL

Approved by the President in accordance with Article IX, Section 2 of the Delaware Technical Community College Bylaws

 12.15.2025
Mark T. Brainard, President Date