

1. Title

State Compensatory Time

2. Policy

Sec. 1 Purpose. To establish practices for the earning and use of state compensatory time as provided by state law and UT System Administration policy.

Sec. 2 Principles

- a) Employees will use earned compensatory leave appropriately to comply with policy and adhere to applicable laws, rules, and procedures.
- b) Managers have the discretion to balance business needs in the context of personal needs and legal rights of the employee and will:
 - 1) accommodate an employee's leave request to the extent practicable;
 - 2) consider the financial impact of an employee's leave request and available leave balance;
 - 3) follow applicable laws and policies; and
 - 4) adhere to responsibilities set forth by UT System Administration as defined below.

Sec. 3 Eligibility

- a) Exempt and non-exempt employees of The University of Texas System Administration who are appointed to work at least twenty hours per week for a continuous period of at least four and one-half months and who are not in a position that requires student status as a condition of employment.

Sec. 4 General Responsibilities

- a) Employee submits leave request to the manager prior to absence.
- b) Manager responds to leave request after considering department staffing requirements.

- c) Employee records absence from work on the electronic timesheet using the appropriate leave type.
- d) Negative leave balances are not permitted.

Sec. 5 Earning and Payment of State Compensatory Time

- a) State compensatory time is accrued on a “straight” time basis, or one hour for one hour reported.
- b) Exempt employees earn state compensatory time when the number of reported hours exceed the number of hours appointed to work in a workweek.
- c) Non-exempt employees earn state compensatory time when the number of reported hours minus any Fair Labor Standards Act (FLSA) overtime hours exceed 40.
 - 1) If hours are worked in excess of the hours appointed to work and the total reported hours does not exceed 40, the employee will be paid for time worked over their appointed hours.
 - 2) A non-exempt employee must have prior approval from their manager before working hours that may result in the earning of state compensatory time.
- d) State Compensatory Time Earned on Holidays.
 - 1) An employee who is eligible for holiday pay and works on a holiday will receive state compensatory time for hours worked on the holiday.
 - 2) Earned holiday compensatory time must be used prior to non-holiday state compensatory time.
 - 3) An employee may be paid for holiday compensatory time earned if it is determined that allowing time off would disrupt critical functions.
- e) State compensatory time not earned on a holiday may not be paid.

Sec. 6 Use of State Compensatory Time

- a) Executive and Administrative & Professional staff may use up to 20 hours state compensatory time in a workweek. Use of 20 hours state compensatory time in a workweek may not exceed two consecutive workweeks. Vacation and floating holiday may be used to supplement the remainder of the week.
 - 1) Executive officers may use up to 100 hours state compensatory time each fiscal year. Requests to use more than 100 hours must be preapproved by the Chancellor.
- b) Classified staff may use up to 40 hours state compensatory time in a workweek. Use of 40 hours state compensatory time in a workweek may not exceed two consecutive workweeks. Vacation, floating holiday, or earned FLSA overtime may be used to supplement the remainder of the week.
- c) Separating employees may use up to 40 hours state compensatory time immediately preceding separation.

Sec. 7 Expiration of Earned State Compensatory Time

- a) State compensatory time expires 12 months after the end of the workweek in which it was earned.
- b) If an employee wishing to use accrued compensatory time submits a written request at least 90 days before the date the state compensatory time expires, the manager must approve the request in writing or provide the employee with an alternate date to use the state compensatory time.
- c) If the employee submits his or her request less than 90 days before the date on which the state compensatory time expires, the manager is encouraged to reasonably accommodate use of accrued state compensatory time before it lapses.

3. **Definitions**

Exempt Employee - an employee who is not covered by the overtime provisions of the FLSA.

Fair Labor Standards Act (FLSA) - the federal law (29 U.S.C. §§ 201-219) that establishes overtime standards for employees.

Hours Worked - any hours that UT System Administration requires or permits an employee to work.

Non-exempt Employee - an employee who is covered by the overtime provisions of the FLSA.

Workweek - a fixed and recurring period of seven consecutive 24-hour days, which begins at 12:01 a.m. Monday and ends at 12:00 midnight Sunday.

4. **Related Info**

[Texas Government Code Chapter 659: Compensation, Sections 659.015, 659.016, 659.018, 659.022, and 659.023](#)

[Texas Government Code Chapter 662: Holidays for State Employees, Sections 662.005\(b\) and 662.007](#)

[Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201 et seq.](#)

[INT113 Fair Labor Standards Act – Overtime](#)

[INT143 Time and Attendance](#)

[Regents' Rule 30201: Leave Policies](#)

5. **Responsible System Administration Office**

[Office of Human Resources](#)

6. **Contact Information**

Questions or comments should be directed to the [Office of Human Resources](#)

7. Dates Approved or Amended

February 1, 2006

June 14, 2010

November 5, 2012

July 1, 2013

September 1, 2015

September 8, 2017