

## **MSU Billings Personnel Policies**

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**POLICY: Compensatory Time for Exempt Employees**

POLICY NO.: 403.3

REFERENCES: FLSA, 29 U.S.C. 201, et seq.; CFR, Title 29, Chapter V; 39-3-406 M.C.A.; Collective Bargaining Agreements

DATE ADOPTED/REVISED: 10/08/08

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"Exempt" defines those employees who are not covered by Montana State law or the federal Fair Labor Standards Act (FLSA). The use and accrual of compensatory time by exempt employees is governed by Montana University System and MSU-Billings policies and collective bargaining agreement provisions. Employees meeting the definition of "exempt" are defined by referenced state and federal statutes, based on assigned duties and responsibilities.

This policy does not apply to contract administrators and contract professionals on individual employment contracts, individuals on Letters of Appointment, or faculty appointments.

"Exempt compensatory time" means time accrued on an hour-for-hour basis for time in a pay status in excess of forty (40) hours in a workweek. Employees should neither be required nor permitted to work in excess of forty (40) hours unless essential to the operations of a department. Exempt compensatory time is not intended to provide any compensation in addition to the established salaries. Rather, it is a means of providing greater flexibility in scheduling work time for exempt employees. Accrued time may be taken as paid time off at a later date, if approved by the appropriate supervisor. Employees are encouraged to use accrued compensatory time prior to using annual leave unless employee will lose excess annual time.

Nothing in this policy is intended to guarantee the accrual of compensatory time to exempt employees. At no time will approved, accrued compensatory time for exempt employees be converted to cash compensation.