

Timekeeping and Compensation Requirements for Overtime Eligible Employees

Washington State has changed the minimum salary threshold for overtime eligibility for exempt employees which will increase on January 1. For January 1, 2025, the minimum salary threshold is \$77,968.80 per year. Individuals whose salary is below this threshold and who are not subject to an overtime eligibility exemption, are eligible for overtime compensation for hours worked beyond 40 in the work week. If the annual salary increases above the salary threshold, then overtime eligibility will terminate at that time.

The following requirements apply to exempt employees who are overtime eligible:

- Timesheets must be submitted for hours worked for each pay period the employee is employed. Actual time worked shall be recorded on the timesheet which will also reflect leave (including compensatory time) taken and overtime worked. Employees are required to accurately report all hours worked, including any overtime, and supervisors are responsible for ensuring accurate reporting by their employees. (Guidance related to timesheet submission requirements can be accessed at this web link: <https://in.ewu.edu/hr/wp-content/uploads/sites/40/2021/10/Timesheet-Quick-Reference-Guide-V1.pdf>);
- If an employee or supervisor believes the employee will need to work more than 40 hours in a week, the employee and their supervisor should immediately address options for avoiding overtime. Whenever possible supervisors and employees should anticipate workload and work commitments to avoid overtime situations. Therefore, if evening or weekend work is required, the employee's work schedule for that week should be adjusted for a total of 40 hours; e.g., if the employee is required to attend a meeting for four hours on Saturday, the employee's schedule should be adjusted to work on four and one half other days (36 hours) in that work week.
- If it is not possible to avoid overtime work, the supervisor may direct the employee to work more than 40 hours in a week and should document such authorization. An employee may only work more than 40 hours in a week when approved to do so in advance by their supervisor. Working overtime that has not been pre-approved is a violation of this policy and may be grounds for corrective action.
- The designated work week for employees is Monday 12:01 a.m. to Sunday, midnight. All paid holidays during an employee's regular work schedule are considered time worked. If an employee works on the holiday, they are entitled to time and a half premium pay or equivalent compensatory time.
- Employees have the option to elect to be compensated for overtime through either:
 - 1) overtime pay at the rate of one and one-half time for all hours worked; or
 - 2) compensatory time at the rate of one-half time the hours worked
- Supervisors may not mandate that employees utilize compensatory time in lieu of overtime. Accrual of compensatory time is based on an agreement between the supervisor and the employee prior to the performance of overtime work. An employee may not accrue more than 80 hours of compensatory time. An employee can request

cash out of compensatory time at any time. All compensatory time must be used by the end of the fiscal year in which it is accrued. Any compensatory time that has not been taken by June 30th of each year or by the time an employee is terminated, will be paid out by the University. An employee will be permitted to use compensatory time if such a request does not unduly disrupt University operations.

Employees are considered to be in reportable work status for timekeeping purposes if all of the three following elements are met:

1. Employee is authorized or required by the employer,
2. To be on duty,
3. On the employer's premises or at a prescribed workplace.

For example, if an employee is voluntarily attending a campus event such as a sporting event, a play or a concert as a guest or member of the public, this is not considered "hours worked." However, if an employee is required by the supervisor/manager to attend a campus event and to perform any work functions, their time spent at the event is considered "hours worked" and must be reported on the employee's timesheet.

Additionally, all travel time related to work is compensable regardless of the number of hours or when the travel takes place. The compensable time includes any time necessary to get to an airport and continues throughout the active travel time. This is because the travel itself is considered to be a work-related duty. Therefore, even if the employee is not performing any additional work while in travel status, they are considered to be working, so long as the supervisor/manager approves the means of travel.

Once the employee is at the employee's lodgings (e.g. hotel), they are no longer "on duty" so long as they are free to engage in personal activities. If however, they are engaging in work while in their hotel such as checking email, making recruitment calls, etc. that is considered compensable time.

Supervisors/managers are expected to provide clear direction to employees to ensure there is clear communications as to when they are on duty.