

How should I structure a new comp time policy?

Question: "We've always been pretty informal about how we deal with comp time for exempt employees. Naturally, a couple of people have started abusing it, requesting time off every time they have to work at home at night or come in on a weekend. I'd like to develop a real policy to control how comp time is accrued and how it is granted. Any suggestions on how to do this?"—**Callie, VA**

Comments

Last I knew, unless you work for the govt, ALL comp time MUST be paid with in the same payperiod as the time taken or extra hours worked .

Posted by: cc | December 27, 2007 at 09:42 AM

What comp time?!? All exempt employees are just that: exempt. You work late or on the weekends and enjoy a larger salary and some other perks (like if you come in to work for just an hour, you get paid for the whole day) than non exempt personnel.

Posted by: | January 03, 2008 at 01:45 PM

there cannot be a login time and logout time that can be monitored. the organisation should drive some ethics into the exempted employee, trust and pay for the work. if the employee abuses the same, counsel him tell him the importance and make him realise the cost and the freedom he gets on being exempt. finally the employee should align with the organisation and should be ethical in asking for comp time

Posted by: ravi | January 04, 2008 at 12:10 AM

locate the most reasonable locations to stay in and make best of the entire experience.

Posted by: skydayshish | January 05, 2008 at 09:41 AM

Comp time went out in the 70's or early 80's. If they want to be exempt employees and treated like exempt employees then there shouldn't be any comp time. That needs to come from the top down. If you are awarding someone special treatment for doing their job and it took some extra time, then you have a problem with the

employee.

Posted by: fayjo | January 08, 2008 at 03:44 PM

The problem is that many employers do not understand that treating an exempt employee like an exempt employee means more than the employee works 40+ hours per week. It should mean that if they work an hour, they worked that day (ie it is not a 'vacation' or 'sick' day), but some employers will make you take vacation for the balance of that day. I have seen employers with employees who put in 40+ hours in a week ding them for an hour of vacation time if they had to run to the dentist in the middle of the day. Exempt should mean that there is benefit to both the employer (more work hours expected with no overtime pay) and the employee (slightly more schedule flexibility and vacation & sick banks are not touched if the employee did even an hour of work that day). Too many employers think exempt just means that employees work overtime for no extra pay and don't extend any flexibility to the employee.

Legal analysis of the FLSA: Unlike nonexempt employees, who are paid for working a specific number of hours, exempt employees are paid to get a job done. They receive the same salary regardless of how few or how many hours they work in a week.

For nonexempt employees, if they are not working, even for parts of a day, pay can be docked, or you can require use of PTO time.

For exempt employees, it is a little more complicated. Normally under the Fair Labor Standards Act (FLSA), you can't dock for less than a full day.

An exempt who takes an hour here, or an hour there, usually can't be docked. However, DOL has issued an opinion letter that PTO time can be used in blocks of time of less than a full day as long as the employee gets full salary.

Ironically, once they run out of PTO, and miss part of a day, you have to pay full salary.

I agree that comp time shouldn't be necessary when both the employer and the employee understand what being exempt really is supposed to mean.

Cheers!

Posted by: KarenH | January 24, 2008 at 07:25 PM

"An exempt who takes an hour here, or an hour there, usually can't be docked. However, DOL has issued an opinion letter that PTO time can be used in blocks of time of less than a full day as long as the employee gets full salary."

As clarification to the above, if an exempt employee works (read:is at the office) less than 8 hours one day of a week we don't debit from their PTO bank if they work more than 40 hours overall for that week, even though a 40 hour standard doesn't really apply. Since EEs can work long days, it would be 'rude' to debit PTO when they have worked more hours in a week than our NEEs.

I have been at companies that do debit PTO for the balance of an 8 hour day, regardless of number of hours worked that week overall. It's been pretty devastating to morale since it doesn't give consideration to what exempt really should mean in practice. Plus, if they have exhausted their PTO, we still have to pay them if they work less than an 8 hour day/40 hour week.

