

STANDARD ADMINISTRATIVE PROCEDURE

31.01.09.M0.01 Overtime

Approved: April 14, 2026

Next Scheduled Review: April 14, 2031

Standard Administrative Procedure Statement

This standard administrative procedure (SAP) provides guidance regarding overtime eligibility and compensation for exempt and nonexempt employees based on the [Department of Labor's Fair Labor Standards Act \(FLSA\)](#) and in accordance with [System Regulation 31.01.09, Overtime](#). This SAP applies to all employees of Texas A&M University, including all associated regional and branch campuses (i.e., Texas A&M University at Galveston and Texas A&M University at Qatar), and Texas A&M University Health Science Center. All will be referred to as TAMU for the purposes of this SAP.

Definitions

Advance Authorization - written approval obtained prior to work being performed. This may be authorized through email, a standardized form, or departmental guidelines/policy. Verbal authorization is not acceptable.

Compensatory Time - accrued/earned time off given in lieu of payment for Federal and/or State overtime.

Exempt Employee - an employee that is excluded from federal overtime laws as determined by their position classification and are monthly paid.

Fair Labor Standards Act (FLSA) - a federal statute which governs the administration and compensation for overtime.

Federal Overtime - when a nonexempt employee works more than forty (40) hours in a workweek. This is accrued/earned at a 1:1.5 rate.

Law Enforcement - employees who are empowered by State or local ordinance to enforce laws designed to maintain peace and order, protect life and property, and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement.

Nonexempt Employee - an employee that is not excluded from federal overtime law as determined by their position classification or salary threshold and are paid bi-weekly. Nonexempt employees are required to document all hours worked.

Overtime Rate - will either be calculated at a State (1:1) or Federal (1:1.5) rate.

Pay Period - a predetermined set of consecutive calendar days during which an employee's work hours are recorded and for which a payroll check is subsequently produced.

State Overtime - when an employee has not worked more than forty (40) hours in a work week, but the total hours worked, and hours of paid leave or paid holidays exceed forty (40) hours. This is accrued/earned at a 1:1 rate.

Workweek - a fixed and regularly recurring period of seven consecutive twenty-four (24)-hour periods (one-hundred and sixty-eight/168 hours). The TAMU workweek is Sunday through Saturday.

Procedures and Responsibilities

1. GENERAL

1.1 All employees of TAMU are covered by the Fair Labor Standards Act (FLSA) though certain jobs are exempt from overtime.

1.1.1 An employee's rights under the FLSA may not be waived.

1.1.2 No employee may agree, even voluntarily, to work in violation of the FLSA.

1.2 TAMU, by default, offers compensatory time off in lieu of overtime payment.

1.2.1 When a college/school/division determines granting compensatory time off is impractical, they may opt to pay employees the applicable overtime rate.

1.2.2 A college/school/division that elects to pay earned overtime must have a documented program approved by the appropriate Dean/Vice President and the Classification and Compensation Director within Human Resources and Organizational Effectiveness (HROE). This program will be on file with the appropriate local HROE Hub.

1.3 All compensable overtime requests (exempt and nonexempt positions) must be job related and require advanced authorization.

1.3.1 Supervisors are responsible for monitoring the number of hours nonexempt employees work and may adjust employees' work hours during the workweek to avoid exceeding forty (40) hours.

- 1.4 Exempt and nonexempt employees who work at the request of the supervisor on a scheduled holiday may be granted no more than eight (8) hours of State compensatory time, unless otherwise indicated in a college/school/division policy (see section 1.2.2).
- 1.5 For a University scheduled holiday and early release, nonexempt employees' timesheets will be automatically loaded with the approved amount of release/holiday time. Supervisors should monitor their employees' schedules during the early release/holiday workweek to prevent unauthorized overtime.
- 1.6 If an employee is on a flexible work schedule, the overtime calculations occur the same.
- 1.7 Any TAMU employee that is called up for participation in an emergency situation as outlined in [System Regulation 31.01.09, Overtime](#), section 5.3, will follow the sponsoring agency's compensation practices.

2. NONEXEMPT EMPLOYEE

- 2.1 Nonexempt employees must accurately document all hours worked in all positions held at TAMU, in the approved timekeeping software.
 - 2.1.1 Falsifying timesheets may lead to disciplinary action up to and including termination.
 - 2.1.2 It is the supervisor's responsibility to review the timesheets of their direct reports for accuracy and approve by the TAMU deadline.
 - 2.1.3 For regulations relating to entering time for non-standard work events (e.g., travel time, overnight stays, etc.), see [System Regulation 31.01.09, Overtime](#), section 2.6 for more information. For additional questions on overtime, contact the appropriate HROE Hub.
 - 2.1.4 Nonexempt employees with more than one (1) position with the State of Texas will have all hours worked combined for overtime. Exceptions to this will be reviewed on a case-by-case situation by HROE Classification and Compensation.
- 2.2 Hours exceeding forty (40) within a workweek will accrue as Federal or State compensatory time unless a policy within the college/school/division states otherwise as referred to in section 1.2.2 above.
 - 2.2.1 Specific personnel as identified in [FLSA](#) guidance may have a different overtime calculation. Contact the local HROE Hub for additional information.
 - 2.2.1.1 Formal notification of changes to overtime calculations will be provided to the employee in advance of the effective date.

3. EXEMPT EMPLOYEES

- 3.1 Occasionally, an exempt employee may need to work more than forty (40) hours a week to accomplish job requirements. When these circumstances arise, such employees may with advanced authorization, at the discretion of the Department Head, be granted compensatory time off in accordance with state law.
 - 3.1.1 Compensatory time earned will be documented in the appropriate leave system and must be used within twelve (12) months after the end of the workweek in which the additional hours were worked.
 - 3.1.2 Internal processes that deviate from 3.1 require a departmental policy that has been approved by the Director of HROE's Classification and Compensation in advance of any work performed outside of the regular full-time schedule.
- 3.2 After the work has been completed, the Department Head will notify the local HROE Hub in writing of the number of hours granted for entry into the leave system.

Related Statutes and Policies

[System Regulation 31.01.02, Fair Labor Standards](#)

[System Regulation 31.01.09, Overtime](#)

[System Regulation 31.04.01, System Holidays](#)

[System Regulation 33.99.05, Part-Time Employment](#)

[System Regulation 33.99.06, Administration of Multiple Employment](#)

Contact Office

For information or clarification on this SAP, contact

[Human Resources and Organizational Effectiveness, Classification and Compensation](#)

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Office of Responsibility

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