

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



Human Resources Administration Issuance: HR-06-1

TO: All CFSA Staff

FROM: Darlene Mansfield, DHR
Human Resources Administrator

DATE: May 12, 2006

RE: Overtime Pay and Compensatory Time

The Child and Family Services Agency (CFSA) is responsible for investigating reports of abuse or neglect in the District of Columbia, 24 hours a day, 7 days a week, and 365 days of the year. Once families come to the attention of the Agency, the CFSA provides services to stabilize the family in crisis and ensure the safety, permanence and well-being of the children. Because the CFSA works with families in the community, we are present with them when it is necessary. This often requires CFSA staff to work outside their official tour of duty or work schedule. Employees at all levels of the Agency may be required to work an alternate schedule or additional hours in order to meet the needs of the Agency.

CFSA has guidelines on who can receive overtime pay, or compensatory time (paid time off from work) which is provided in lieu of overtime pay (comp time), when an employee works more than his or her regularly scheduled hours in a workweek. This administrative issuance provides general guidance to all CFSA employees regarding responsibilities, requirements and limitations on overtime pay and comp time.

There may be specific circumstances that are not covered by this issuance. Questions regarding this administrative issuance may be directed to the CFSA Human Resources Administration at (202) 724-7373.

Eligibility for Overtime Pay or Comp Time

1. CFSA employees covered by a collective bargaining agreement (union employees) are generally eligible to earn overtime pay or comp time when certain requirements are met. The provisions of a collective bargaining agreement will take precedence over the provisions of this administrative issuance for union employees, to the extent there is a difference.
2. Supervisory Social Workers in the Child Protective Services unit may also earn overtime or comp time if it is deemed necessary by the Deputy for Program Operations and is approved in advance.
3. Non-union Career Service employees, grade 14 or below, are eligible for overtime pay or comp time in lieu of overtime pay. The following employees are ineligible to receive such overtime pay or comp time:
 - a. Non-union Career Service employees at the DS-15 level or above, or equivalent
 - b. Non-union Legal Service employees, including Senior Executive Attorney Service (SEAS) employees, all grade levels
 - c. All Excepted Service employees, all grade levels
 - d. All Management Supervisory Service employees, all grade levels (except as indicated above)
 - e. All Executive Service employees.

Note: Employees officially acting in the capacity of another position may earn overtime pay/comp time if the position in which they are acting is eligible.

Calculation, Approval Requirements and Tracking of Overtime Pay and Comp Time

1. Overtime pay/comp time is equivalent to one and a half times the employee's regular rate of pay for the time worked beyond the employee's regular tour of duty or approved Alternative Work Schedule.
2. When calculating overtime pay/comp time, employees cannot include meal periods or other official breaks even if they had elected to work during that time.
3. Staff must seek and receive advance written approval prior to working overtime.

Note: In emergency situations requiring an immediate response, the employee shall make every reasonable attempt to obtain advance approval by an appropriate manager or supervisor.

4. Unauthorized overtime and/or the failure of the employee to make reasonable and documented attempts to obtain advance approval by an appropriate manager or supervisor for his/her overtime request is grounds for progressive discipline.
5. Managers will be held accountable for enforcing the provisions of this policy.

Special Requirements for Comp Time

1. In the case of union employees, comp time may be provided in accordance with one of the following options:
 - a. Applicable provisions of the collective bargaining agreement
 - b. A memorandum of understanding (between Agency and the Union)
 - c. The mutual agreement (written) of the employee and supervisor to comp time in lieu of pay for overtime work
2. In the case of non-union employees, comp time may be provided only in accordance with an agreement arrived at between the supervisor and the employee before the performance of work.

Overtime and the Alternative Work Schedule Program

The Alternative Work Schedule program (AWS) is a CFSA initiative to increase workplace morale and productivity that allows employees to have a schedule that differs from the regular basic workweek. This program also allows management to establish schedules that meet employees' preferences and CFSA's business needs. The program requires employees to obtain permission to work an alternative schedule, which is formalized in a written agreement between the employee and the Agency. The program also requires that all employees be at work on their regularly scheduled work days during the core hours, which are 9:30 am to 3:00 pm.

The following work schedule options are available under the AWS program:

1. Flexible work schedule: the employee works a regular 8-hour day, 5 days per week, but instead of working from 8:15 a.m. to 4:45 p.m., the employee selects another time. The latest allowable arrival time is 9:30 am and the latest departure is 6:00 pm.
2. Compressed time schedule: the employee may still opt to work flexible hours, but chooses to work longer days in order to have time off on a particular day. There are three compressed time work schedule options:
 - a. Four 10-hour days per week with one day off each week
 - b. Eight 9-hour days, and one 8-hour day with one day off every two weeks
 - c. Four 9-hour days and one 4-hour day each week

Note: Program Managers, Administrators and above are excluded from the compressed time schedule.

The AWS program impacts the earning of overtime and comp time under the collective bargaining agreement because employees who work an approved alternative schedule may work more than 8 hours per day as part of their alternative work schedule agreement. Employees who work under the AWS program are not eligible to earn overtime or comp time until they have completed their regularly scheduled work hours under the AWS agreement.

Deadline for Submission of Overtime Pay and Comp Time

Supervisors must ensure that all approved overtime and comp time claims are given to the Timekeeper by the Wednesday prior to the next pay period.

Responsibilities of Managers and Supervisors Approving Overtime Pay and Comp Time

1. Managers and supervisors who approve overtime pay/comp time must evaluate each situation where an employee is requesting overtime pay/comp time and determine whether the work involved could be accomplished without necessitating use of overtime pay/comp time.
2. If the employee is able to work an alternate schedule on a particular day or during a particular week in order to accommodate a home visit, training or other official work, this is usually preferable to requiring an employee to work overtime.
3. If a particular employee continues to request overtime pay/comp time in order to complete his or her work, the supervisor should examine the reasons why the employee is having difficulty and seek to address the situation.
4. When managerial staff will require an employee to work overtime, the employee should be given as much notice in advance as possible.
5. At times, employees volunteer for additional work because they are interested in receiving overtime pay/comp time. While their enthusiasm is commendable, managerial staff must always seek to make the best use of the staff available.
6. If an employee from another area of CFSA desires to perform additional work outside of their regularly scheduled work for overtime pay/comp time, the request must be approved by the Deputy Director of the employee's work area as well as the area where the overtime pay/comp time is to be earned.
7. Whenever possible, managerial staff should endeavor to equalize workloads in order to minimize use of overtime pay and comp time. Managerial staff is responsible for staying within the amounts budgeted for overtime pay and comp time.
8. Managers will be held accountable for enforcing the provisions of this policy.

ATTACHMENT A DEFINITIONS

In this administrative issuance, the following terms have the meanings indicated:

Administrative workweek - a period of 7 consecutive calendar days, Sunday through Saturday.

Alternative work schedule - a regularly scheduled 40-hour basic workweek during which the basic non-overtime workweek is flexible, per DC Code § 1-612.01(e)(2001).

Basic workweek - the days and hours within an administrative workweek that make up the employee's regularly scheduled administrative workweek.

Compensatory time - hours during which an employee is not working, which are not counted as hours worked during the applicable workweek or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee's regular rate.

Compressed Time Schedule – a period of 10 workdays within which a full 80-hour bi-weekly, basic work requirement is scheduled.

Flexible work schedule - a regularly scheduled 40-hour basic workweek during which an employee performs an 8-hour tour of duty between the hours of 6:00 am and 6:00 pm with varying beginning and ending times.

Regular basic workweek - a workweek of not more than 40 hours per week comprised of five 8-hour days, Monday through Friday, beginning at 8:15 am and ending at 4:45 pm. A lunch break of 30 minutes is provided along with two 15-minute breaks.

Tour of duty - the hours of a day (i.e., "daily tour of duty") and the days of an administrative workweek (i.e., "weekly tour of duty") scheduled in advance and during which an employee is required to perform work on a regularly recurring basis.



OVERTIME AND COMPENSATORY TIME PRE-APPROVAL FORM

EMPLOYEE NAME _____ TITLE: _____

TODAY'S DATE: _____ TOD:* _____ RDO:† _____

TASK TO BE PERFORMED: _____

REASON WHY THIS TASK CAN NOT BE PERFORMED DURING NORMAL TOD:

FAMILY NAME: _____ CASE NO. / FACES ID _____

PROJECTED DATE PUPOSE OF ACTIVITY EST. TIME

| PROJECTED DATE | PUPOSE OF ACTIVITY | EST. TIME |
|----------------|--------------------|-----------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

TOTAL PROJECTED HOURS _____

AUTHORIZATIONS DATE APPROVE DISSAPROVE

IMMEDIATE SUPERVISOR _____

PROGRAM MANAGER _____

PROGRAM ADMINISTRATOR _____

DEPUTY DIRECTOR _____

When applicable, this form must be accompanied by FACES notes to be valid for processing Time & Attendance.

*TOD = TOUR OF DUTY

†RDO = REGULAR DAY OFF