# Overtime Pay Chart

<table>
<thead>
<tr>
<th>Type of Employee or Workgroup</th>
<th>Overtime Rule/s</th>
<th>Hours/TRC’s included in calculation of overtime pay</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MNA/UMPNC</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Article 15 (3-13-13 ratification of changes; expires June 30, 2018) | Professional Development Framework and Role Specific classifications: *In excess of eighty (80) in a two (2) week work schedule and in excess of eight (8) hours in a day. or *In excess of forty (40) hours in one (1) week work schedule or in excess of an employee’s regular daily schedule of work of not less than eight (8) hours in a day; or **RSAM (Exempt) Nurses only:** In excess of 120 hours in three (3) calendar week work schedule or in excess of twelve (12) hours in a day. **Pay Grades N-4, N-5 and N-6:** Not entitled to overtime premium but will receive compensation in addition to their monthly salary at each employee’s rate of pay per hour and shift premium if applicable, for paid time in excess of the hours set forth, Para 148 and 149 (OTR). | 1) Time when actual work is required and performed and 2) Time off for which pay is received for Extended Sick, Funeral, Jury Duty, and 3) PTO when employer contacts employee to work on a day they have scheduled PTO, only PTO hours equal to hours worked count and 4) PTO as a result of mandatory or voluntary assigned time off | **MOU for Nurse Practitioners:**  
- Nurse practitioners are expected to work the necessary hours to meet daily patient care needs, without receiving additional compensation. Additional compensation, if approved by the nurse manager, nursing director and/or department administrator may be provided when additional effort is expected for an extended period of time.  
- NP’s are not paid the 1.5 times or 3 times holiday premiums for working on a holiday. They do receive straight time pay above appointment for working on a Holiday (HWR) when unable to take another day off in that same month. **OTP and PTO on the same day:**  
  - Can occur only with Nurse Manager and/or Clinical Nurse Supervisor approval AND if the staff member is called while off and agrees to work on an unanticipated basis. It is not allowed for an employee to sign up for unanticipated OT/OA during a scheduled PTO absence  
  - CRNA-called in to work on PTO day; report PTS and OTR for coming into work on a scheduled PTO day  
  - Add comment on the timesheet page; “Employee was called in to work on PTO day” **MOU for N-5’s Certified Nurse Midwives:** Will be paid according to Article 16 (Shift Premium) and Article 15 (Overtime). Article 17 (On-Call) does not apply.  
- Overtime premium shall not be pyramided, compounded, or paid twice for the same time paid. **Overtime premium is also paid:**  
  1) On the fifth scheduled workday in a week in which a holiday falls on an employee’s scheduled day off, if the employee fully works each of his scheduled work days in the week, or  
  2) any absence is eligible for paid time off under Article 25, Jury and Witness Service. This same provision shall apply to the fourth scheduled work day in a week as well, if holidays fall on both of the employee's scheduled days off or, if one holiday falls on an employee's scheduled day off and the other falls on his fifth scheduled work day. |
| **IUOE contract** |                |                                               |         |
| Article 9 (Nov 29, 2009-Nov 23, 2013) | *In excess of eight (8) hours in a day; *In excess of forty (40) hours in a week; *On a shift which starts before the employee has had eight (8) hours off since his previous shift, seven (7) if for operational relief *Works before or after scheduled shift if the employee fully works his shift | 1) Actual time worked; 2) Vacation is considered time worked unless it is used for an absence normally covered by sick or injury disability income 3)Jury and Witness Service when it occurs on a holiday week | **MOU for N-5’s Certified Nurse Midwives:** Will be paid according to Article 16 (Shift Premium) and Article 15 (Overtime). Article 17 (On-Call) does not apply.  
- Overtime premium shall not be pyramided, compounded, or paid twice for the same time paid. **Overtime premium is also paid:**  
  1) On the fifth scheduled workday in a week in which a holiday falls on an employee’s scheduled day off, if the employee fully works each of his scheduled work days in the week, or  
  2) any absence is eligible for paid time off under Article 25, Jury and Witness Service. This same provision shall apply to the fourth scheduled work day in a week as well, if holidays fall on both of the employee's scheduled days off or, if one holiday falls on an employee's scheduled day off and the other falls on his fifth scheduled work day. |
<table>
<thead>
<tr>
<th>Type of Employee or Workgroup</th>
<th>Overtime Rule/s</th>
<th>Hours/TRC’s included in calculation of overtime pay</th>
<th>Details</th>
</tr>
</thead>
</table>
| **AFSCME** *(July 1, 2017 – June 30, 2021)* | *In excess of an employee’s regular schedule of work of not less than (8) hours in a day.*  
*In excess of (40) hours in a calendar week*  
MOU 444  
Upon arrangement and agreed to be acceptable to the Union and the University, a normal schedule of work can consist of ten (10) hours per day and forty (40) hours per week. In this case overtime would not be paid unless they work over the 10 hours in a day. | 1) Time when actual work is performed, including hours worked on a holiday (HWT)  
2) Time off work for Jury Duty | At an employee’s written request, daily overtime may be waived for a schedule change to a full or partial shift within the same calendar week, if approved by the employee’s supervisor.  
**Special agreement for Ambulance Communication Specialist:**  
Can work up to 12 hours per day and up to 48 hours in a week without incurring overtime pay as long as they do not exceed 1040 hours worked in a 26-week period.  
Overtime premium shall not be pyramided, compounded, or paid twice for the same time paid.  
*Some departments report OTP instead of HWT on the Holiday when an employee works over their scheduled shift so it shows on the OT log; these OTP hours reported on a Holiday also count toward the 40 in the week for the OT calculation* |
| **TRADES** *(Aug 1, 2011- May 31, 2015)* | *In excess of eight (8) hours in a day*  
*In excess of forty (40) hours in a calendar week for which an overtime premium has not previously been earned.* | 1) Time when actual work is performed;  
except hours worked on a holiday because we count the Holiday Pay instead  
2) Time off work for which pay is received | Upon arrangements satisfactory to the University and the Union, a normal schedule of work can consist of ten (10) hours per day and forty (40) hours per week. In such a case, regardless of whatever else may be mutually agreed to, any employee or employees involved shall not be eligible for the daily overtime premium provided in paragraphs 11-1 and 11-3, until such time as the hour calculation exceeds ten (10) hours in a day.  
Overtime premium shall not be pyramided, compounded, or paid twice for the same time paid.  
**Time Reporting Codes that count towards calculation:**  
REG, OTR, HOL, HSB, VAC, JRD, FRL, ESF, FCV, HPB, SCK, SCL, SFV, SKF, SEW, SEA, UBS, UNV |
### Overtime Pay Chart

<table>
<thead>
<tr>
<th>Type of Employee or Workgroup</th>
<th>Overtime Rule/s</th>
<th>Hours/TRC’s included in calculation of overtime pay</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Non Bargained for Exempt Workgroups:</strong> PAEXHOSP SPAEXHOSP</td>
<td><em>UMHS staff members in exempt (salaried, monthly-paid) classifications, as defined by the Fair Labor Standards Act, are not entitled to overtime pay.</em></td>
<td>Does not apply</td>
<td>UMHS exempt, salaried staff members are expected to work the hours necessary to achieve individual, departmental, and organizational goals, without additional compensation. On a limited, exception basis, Department Directors may submit a written request for approval to compensate for additional work hours for exempt, salaried direct-patient care staff. Given the general work schedule flexibility afforded to non-direct-patient-care staff and the significant responsibility within management and supervisory roles, requests for compensation for additional work hours are not expected to occur.</td>
</tr>
<tr>
<td><strong>Non- Bargained for Non Exempt and Temporary Employees SPG 201.38</strong> Workgroups: NONEXHOSP PANEHOSP PNOEXHOSP PPANEHOSP SNONEXHOSP TEMPORARY1</td>
<td><em>Overtime will be calculated for time worked in excess of 40 hours in a calendar week.</em></td>
<td>1) Time worked</td>
<td>*For staff in a hospital setting on an alternate work schedule of fourteen (14) consecutive days instead of a calendar week of seven (7) consecutive days, compensation for all hours worked in excess of eight (8) in a day or eighty (80) hours in a 14-day period (whichever is greater) is made at one-and-one half times the staff member's regular rate of pay. This exception must be pursuant to an agreement with the staff member that is entered into before the start of the alternate schedule and requires a 30-day notice to change. Overtime should be avoided and supervision is responsible to manage operations accordingly, including rearranging work schedules when possible. All overtime must be authorized before overtime work is performed. Overtime will not be pyramided, compounded, or paid twice for the same time worked.</td>
</tr>
<tr>
<td><strong>Time Reporting Codes that count towards calculation:</strong> REG, OTR, ECW, ESW, HPB, UBS, HWT</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Special Note:** For employees with multiple appointments you must take into consideration all hours on all appointments to calculate when the overtime premium is due.

**Overtime Rules Defined**

*Please note, UM policies and Bargaining agreements may provide for more than what the federal and state laws require. For example: The AFSCME Bargaining agreement states employees are paid overtime premium of 1 ½ the employee’s hourly rate and shift premium or special premium, if applicable when working in excess of their regular schedule of work of not less than eight hours in a day. See the above chart for type of hours that are counted towards the calculation of overtime pay for each workgroup at the University of Michigan. Also, not all workgroups are eligible for all of the rules listed below.*

**Over 40 in a Workweek Overtime Rule:**

Pay overtime of 1½ times an employee's regular rate of pay for hours worked in excess of forty (40) hours in a workweek.

*Please note: Most non-exempt employees will use the Over 40 in a Workweek Overtime Rule. It is the default overtime rule in addition to any bargaining agreement language.*
8 and 80 Overtime Rule:
Pay overtime of 1½ times an employee’s regular rate of pay for hours worked in excess of eight (8) hours in a day and eighty (80) hours in a 14 day period. When applying this rule you will pay overtime whenever the employee works more than 8 hours in a workday and if they work over 80 hours in the two week pay period.

- The Eight and Eighty (8 and 80) Overtime System Under section 7(j) of the FLSA, hospitals and residential care establishments may utilize a fixed work period of fourteen consecutive days in lieu of the 40 hour workweek for the purpose of computing overtime. To use this exception, an employer must have a prior agreement or understanding with affected employees before the work is performed. This eight and eighty (8 and 80) exception allows employers to pay time and one-half the regular rate for all hours worked over eight in any workday and eighty hours in the fourteen-day period. See Regulations 29 CFR 778.601

3 and 120 Overtime Rule:
Pay overtime of 1 ½ times an employee’s regular rate of pay for hours worked in excess of one hundred twenty (120) hours in a three (3) week work schedule or in excess of twelve (12) hours in a day.

Limited use of this rule: Ambulance Communications Specialists in the Survival Flight Department are eligible to use this overtime rule per the AFSCME contract. Also Exempt RSAM Nurses are eligible to use this rule per the MNA contract.

Important Notes:
- As a general rule, non-exempt employees must be compensated for all hours of work that management knows of, or has reason to know of, even if the employer did not request or authorize the time or type of work performed. This is regulation set by the Fair Labor Standard Act created by the US Department of Labor.
- Cannot flip flop overtime rules from pay period to pay period even if a staff member is eligible to be paid under more than one of the overtime rules.

Exempt Staff and Overtime Pay:
In general, Exempt Staff are NOT eligible for pay above the monthly salary which is their annual salary divided by twelve (12). See Guidelines for Compensation for Additional Work Hours for Exempt Employees link below.

RESOURCES:
Department of Labor Website (Fair Labor Standard Act)
Elaws-FLSA Overtime Calculator Advisor; Special Circumstances; Employees of Hospitals and Residential Care Establishments
Fact Sheet #54--The Health Care Industry and Calculating Overtime Pay
Guidelines for Compensation for Additional Work Hours (Exempt Employees)
http://www.med.umich.edu/umhshr/doc/7_1_2009_UMHS_Gdlines_Comp_Add_WorkHrs_ExemptStaff.pdf
Overtime Standard Practice Guide
http://spg.umich.edu/pdf/201.38.pdf
Payroll Controls Standard Practice Guide
http://spg.umich.edu/pdf/518.01.pdf
UM Bargaining Agreements
http://www.med.umich.edu/umhshr/supervisor/bargaining-agreements.html