

Wasco County Soil and Water Conservation District

Policy 2.3 – Overtime, Compensatory Time, and Holiday Preservation Leave

Board Approved: [Insert Date]

Applies to: Full-time, part-time, seasonal, and temporary employees who are eligible for compensatory leave or holiday preservation leave.

1. Background

The Conservation District uses compensatory time (comp time), as authorized under the Fair Labor Standards Act (FLSA) and Oregon law, in lieu of overtime wages for eligible employees. Overtime results in additional personnel costs, and the District aims to manage overtime efficiently and responsibly.

This policy also introduces Holiday Preservation Leave, a discretionary benefit granted when employees work during a week that includes a District-recognized holiday. Seasonal and temporary employees may earn comp time only when the funding source supporting their position allows it and with prior approval from management. Exempt management staff may exceed the standard comp-time cap under documented special circumstances.

This policy works in coordination with:

- **District Leave Policy 3.2** (annual, sick, administrative leave)
- **Family & Medical Leave Policy 3.7** (FMLA/OMFLA/USERRA)
- **Telework/Flex Schedule Policy 2-1** (flex scheduling expectations)

2. Purpose

- Provide clear, consistent guidance for the accumulation and use of comp time and holiday preservation leave.
- Ensure compliance with FLSA (29 U.S. Code § 207(o)), ORS 653.010–653.261, and OAR 839-020-0004 to -0047.
- Support employee wellbeing and operational flexibility while managing overtime costs responsibly.
- Clarify expectations for overtime approval, documentation, and scheduling.

3. Definitions

Term	Definition
Compensatory Leave (Comp Time)	Paid time off earned for hours physically worked beyond 40 hours/week. Accrued at 1.5x for non-exempt employees and 1:1 for exempt employees.
Holiday Preservation Leave	Paid administrative leave granted when an employee works during a holiday week and does not receive the full benefit of the holiday. Must be used within the same fiscal year and is not paid out at separation.
Workweek	Sunday 12:01 a.m. to Saturday 12:00 midnight. Only hours physically worked count toward comp time.
Flex Time	Adjustments to daily schedules within the 40-hour workweek, coordinated with a supervisor. Flex scheduling must align with Telework/Flex Policy 2-1.
Exempt vs. Non-Exempt	District positions are classified as either exempt or non-exempt under the FLSA. Non-exempt employees are eligible for overtime, which the District provides in the form of compensatory time (comp time). Exempt employees are not eligible for overtime but may earn District-approved comp time at a 1:1 rate. Being paid on a salary basis does not automatically make a position exempt; the role must also meet the FLSA job-duties criteria. Employees should refer to their job descriptions to confirm their classification.

4. Compensatory Time

A. Eligibility

- All full-time regular staff (exempt and non-exempt) are scheduled and expected to work 40 hours per week.
- Non-exempt employees may accrue comp time at 1.5x for hours worked over 40/week.
- Exempt employees may accrue comp time at 1:1 for hours worked over 40/week.
- Comp time is not earned for working more than 8 hours in a day unless total weekly hours exceed 40.
- Seasonal and temporary employees may earn comp time only when permitted by their funding source and with prior management approval.

B. Flex Time

- Employees may flex their schedules within the workweek in coordination with their supervisor, consistent with Telework/Flex Policy 2-1.
- Flexing does not result in comp time unless total hours exceed 40 in the workweek.
- **Example:** Working 10 hours Monday and 6 hours Friday = 16 hours flexed (equal to two regular 8-hour days); no comp time earned if the total week equals 40 hours.

C. Limits of Accrual

- **District cap:** 80 hours for all employees.
- **High-Balance Threshold:** Employees with more than 60 hours of comp time may not be approved for additional overtime unless operationally necessary. Supervisors may require employees to use comp time to reduce balances below 60 hours.
- **Special Circumstance Waiver (Exempt Only):**
 - Exempt management staff may exceed the 80-hour cap when facing urgent, time-sensitive operational, legal, or HR demands.
 - Circumstances must be documented.
 - If the District Manager needs to exceed the 80-hour cap, the circumstances will be documented and communicated to the Board Chair.

D. Fiscal Year Requirement

- Comp time must be used within the fiscal year in which it is earned, unless otherwise approved by the District Manager.
- Supervisors may schedule comp-time use to ensure balances are reduced before fiscal year end (June 30).
- Comp time is not cashed out, except:
 - when required by law, or
 - upon separation from employment (consistent with District Leave Policy 3.2).

E. Overtime Approval

- Overtime must be approved in advance by the supervisor (verbal, written, or email).
- FLSA-covered (non-exempt) employees may not authorize their own overtime.

- Supervisors must document overtime approval in a brief note, email, or timesheet comment so payroll and management can verify authorization.
- Unauthorized overtime will be compensated as required by law but may result in corrective action.
- Supervisors must consider workload, comp-time balances, and budget before approving overtime.

F. Meal Periods and Rest Breaks

- **Meal Periods (Non-Exempt Employees):** Oregon law requires non-exempt employees to take a 30-minute unpaid meal period when working six or more hours. Working through a meal period is a rare exception and must be approved in advance by a supervisor. If an approved exception is granted, the meal period must be paid. Working through lunch without authorization may result in corrective action.
- **Rest Breaks (Non-Exempt Employees):** Oregon law requires paid rest breaks for non-exempt employees. Employees must receive one 10-minute paid rest break for every four hours worked (or major fraction thereof), scheduled near the middle of each work period whenever practical. Rest breaks may not be combined with meal periods or used to leave early.
- **Exempt Employees:** Exempt employees are not subject to Oregon’s meal-period or rest-break requirements but are encouraged to take appropriate breaks, including paid rest breaks and an unpaid meal break, to support wellbeing and productivity.

5. Holiday Preservation Leave

A. Purpose

District-recognized holidays are intended to provide rest, reflection, and time with family. When an employee works during a holiday week, they may lose part or all of that restorative time. Holiday Preservation Leave ensures the holiday is not forfeited due to workload.

B. Eligibility

- Applies to any holiday week where the employee works more than 32 hours.
- Leave is granted as administrative leave, not comp time.
- Must be used within the same fiscal year.
- Holiday Preservation Leave is not paid out at separation (consistent with District Leave Policy 3.2).

C. Calculation

- Employees receive 1 hour of Holiday Preservation Leave for each hour worked over 32, up to a maximum of 8 hours.
- If the holiday is worked, the employee receives 8 hours of administrative leave to preserve the holiday.

6. Leave Usage Order

When a full-time employee works fewer than 40 hours in a week, they must apply leave to reach the 40-hour salary baseline. The District's preferred order of usage is:

1. Comp Time (if available)
2. Sick Leave (as allowable under Oregon law)
3. Administrative Leave (if granted)
4. Annual Leave

Employees may request to use sick leave before comp time. Protected leave types (e.g., FMLA, OMFLA, bereavement) override this order. (See District Leave Policy 3.2 and Family & Medical Leave Policy 3.7.)

7. Examples

A. Flex Week

- Worked 40 hours total using long and short days.
- **Comp Time Earned:** None.

B. Non-Exempt Weekend Work

- Worked 40 hours Monday–Friday + 3 hours Saturday.
- **Comp Time Earned:** 4.5 hours (3 × 1.5).

C. Exempt Weekend Work

- Worked 40 hours Monday–Friday + 3 hours Saturday.
- **Comp Time Earned:** 3 hours (1:1).

D. Holiday Worked (e.g. Friday Holiday)

- Worked 32 hours Monday–Thursday and worked the Friday holiday.

- **Comp Time Earned:** None (did not exceed 40 hours worked).
- **Holiday Preservation Leave:** 8 hours.

E. Holiday Not Worked (e.g. Friday Holiday)

- Worked 36 hours Monday–Thursday; Friday was a paid holiday and not worked.
- **Comp Time Earned:** None.
- **Holiday Preservation Leave:** 4 hours.

F. Under 40 Hours

- Worked 38 hours.
- **Leave Needed:** 2 hours.
- **Order:** Comp Time → Sick Leave (as allowable) → Admin Leave → Annual Leave.

8. Authorization

- Non-exempt employees must obtain verbal, written, or email approval before working hours that would result in comp time.
- Supervisors must record approval in a simple, verifiable form (email, text, or timesheet note).
- Employees may not work through lunch or extend their workday without prior approval.
- Holiday Preservation Leave is granted automatically based on timesheet review.
- Special circumstance waivers for exempt staff must be documented and approved as outlined in Section 4.C.

9. Termination

- Upon separation, employees may use accrued comp time before departure or be paid for unused comp time at their current hourly rate.
- Holiday Preservation Leave and other forms of administrative leave are not paid out and must be used prior to separation (consistent with District Leave Policy 3.2).

10. Annual Review and Reporting

To support annual work planning and budgeting, the Budget Officer will review and summarize overtime and comp-time usage each year. This helps the District monitor patterns, understand fiscal impacts, and plan staffing needs.

11. References

- Fair Labor Standards Act (29 U.S. Code § 207(o))
- ORS 653.010–653.261
- OAR 839-020-0004 to -0047
- BOLI Overtime and Meal/Rest Break Guidance
- District Leave Policy 3.2
- Family & Medical Leave Policy 3.7
- Telework/Flex Schedule Policy 2-1
- District Handbook Chapters 2.3, 3.5, and 3.6